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# Commission on Crime Prevention and Criminal Justice

## Report on the twenty-seventh session (8 December 2017 and 14–18 May 2018)

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*Note*

Symbols of United Nations documents are composed of letters combined with figures. Mention of such a symbol indicates a reference to a United Nations document.

The report of the Commission on Crime Prevention and Criminal Justice on its reconvened twenty-seventh session, to be held on 6 and 7 December 2018, will be issued as *Official Records of the Economic and Social Council, 2018, Supplement No. 10A* (E/2018/30/Add.1).

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*Executive summary*

The present summary has been prepared pursuant to the annex to General Assembly resolution 68/1, entitled "Review of the implementation of General Assembly resolution 61/16 on the strengthening of the Economic and Social Council", in which it is stated that the subsidiary bodies of the Council should, inter alia, include in their reports an executive summary.

The Commission on Crime Prevention and Criminal Justice held the regular part of its twenty-seventh session from 14 to 18 May 2018. The present document contains the report on that part of the twenty-seventh session and, in chapter I, contains the text of the resolutions and decisions adopted by the Commission, recommended by the Commission for adoption by the Economic and Social Council or recommended by the Commission for approval by the Council for adoption by the General Assembly.

During its twenty-seventh session, the Commission held a general debate, as decided at its twenty-sixth session. The Commission also considered strategic management, budgetary and administrative questions, the integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice, including issues related to the ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto, the United Nations Convention against Corruption and the international instruments to prevent and combat terrorism, and other crime prevention and criminal justice matters. Furthermore, the Commission considered the use and application of United Nations standards and norms in crime prevention and criminal justice, world crime trends and emerging issues and responses in the field of crime prevention and criminal justice, and follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth Congress. The Commission also considered its contributions to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up to and review and implementation of the 2030 Agenda for Sustainable Development.

The prominent theme for the twenty-seventh session of the Commission was "Criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels", which was also the topic of the thematic discussion held on 15 and 16 May 2018.

The Commission recommended to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly: (a) "Enhancing the role of the Commission on Crime Prevention and Criminal Justice in contributing to the implementation of the 2030 Agenda for Sustainable Development"; (b) "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice"; and (c) "The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals". The Commission also recommended to the Economic and Social Council the adoption of the following decisions: (a) "Appointment of one member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute"; and (b) "Report of the Commission on Crime Prevention and Criminal Justice on its twenty-seventh session and provisional agenda for its twenty-eighth session".

The Commission adopted the following resolutions and decision: (a) "Budget for the biennium 2018–2019 for the United Nations Crime Prevention and Criminal Justice Fund"; (b) "Preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies"; (c) "Improving the protection of children against trafficking in persons, including by addressing the criminal misuse of information and communications technologies"; (d) "Strengthening measures against trafficking in persons"; (e) "International cooperation against trafficking in cultural property"; (f) "Restorative justice"; and (g) "Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute".

# Chapter I

## Matters calling for action by the Economic and Social Council or brought to its attention

### A. Draft resolutions to be recommended by the Economic and Social Council for adoption by the General Assembly

1. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the approval of the following draft resolutions for adoption by the General Assembly:

**Draft resolution I**

### Enhancing the role of the Commission on Crime Prevention and Criminal Justice in contributing to the implementation of the 2030 Agenda for Sustainable Development

*The General Assembly*,

*Reiterating* its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development",

*Recalling* its resolution 70/299 of 29 July 2016, in which the Assembly encouraged coherence of the General Assembly and its Main Committees, the Economic and Social Council, the specialized agencies and the functional commissions of the Council, and other intergovernmental bodies and forums with the work of the high-level political forum on sustainable development towards the follow-up and review of the implementation of the 2030 Agenda for Sustainable Development,

*Recalling also* that Sustainable Development Goal 16, on promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels, will be reviewed in depth by the high-level political forum in 2019,

*Recalling further* the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, as set out in its resolution 72/192 of 19 December 2017, including the decision that the main theme of the Fourteenth Congress would be "Advancing crime prevention, criminal justice and the rule of law: towards the achievement of the 2030 Agenda",

*Underscoring* the role of the Commission on Crime Prevention and Criminal Justice as the principal policymaking body of the United Nations in the field of crime prevention and criminal justice,

*Bearing in mind* that the implementation of the present resolution would support and be without prejudice to the existing mandates of the Commission,

1. *Underlines* the importance of the Commission on Crime Prevention and Criminal Justice in actively contributing to the global follow-up to and supporting the thematic review of progress made in the implementation of the Sustainable Development Goals relating to its mandate;

2. *Encourages* Member States to raise awareness about the work of the Commission on Crime Prevention and Criminal Justice and its relevance in the successful implementation of the 2030 Agenda for Sustainable Development;[1]

3. *Recognizes* the integrated and indivisible nature of the Goals, as well as the interlinkages between them;

4. *Welcomes* the cooperation of the Commission on Crime Prevention and Criminal Justice, within its existing mandate, with other functional commissions of the Economic and Social Council, and encourages the Commission to further enhance its cooperation with all relevant intergovernmental bodies and forums with a view to advancing the implementation of the 2030 Agenda for Sustainable Development;

5. *Encourages* Member States to consider including information on the implementation of Sustainable Development Goal 16, also in relation to the work of the Commission, in their voluntary national reviews for consideration by the high-level political forum on sustainable development during its meeting to be held in 2019 and sharing relevant information contained in those voluntary national reviews with the Commission during its twenty-eighth session, including in the context of the general debate;

6. *Invites* Member States and other relevant United Nations entities, international and regional organizations, the institutes of the United Nations crime prevention and criminal justice programme network and other relevant stakeholders to provide the Commission, through its secretariat, for consideration during its twenty-eighth session, views on how the Commission can contribute to the review of the implementation of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16, and requests the Secretariat to also bring that information to the attention of the high-level political forum at its meeting in 2019 and to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, through existing reporting requirements.

**Draft resolution II**

## Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

*The General Assembly,*

*Recalling* its resolution 56/119 of 19 December 2001 on the role, function, periodicity and duration of the United Nations congresses on the prevention of crime and the treatment of offenders, in which it stipulated the guidelines in accordance with which, beginning in 2005, the congresses, pursuant to paragraphs 29 and 30 of the statement of principles and programme of action of the United Nations crime prevention and criminal justice programme,[2] should be held,

*Emphasizing* the responsibility assumed by the United Nations in the field of crime prevention and criminal justice in pursuance of Economic and Social Council resolution 155 C (VII) of 13 August 1948 and General Assembly resolution 415 (V) of 1 December 1950,

*Acknowledging* that the United Nations congresses on crime prevention and criminal justice, as major intergovernmental forums, have influenced national policies and practices and promoted international cooperation in that field by facilitating the

[1] General Assembly resolution 70/1.
[2] General Assembly resolution 46/152, annex.

exchange of views and experience, mobilizing public opinion and recommending policy options at the national, regional and international levels,

*Emphasizing* the important role played by the United Nations congresses on crime prevention and criminal justice in recognizing that crime prevention and criminal justice, with due regard to the observance of human rights, make a direct contribution to the maintenance of peace and security,

*Recognizing* the significant contributions of the United Nations congresses on crime prevention and criminal justice to promoting the exchange of experience in research, law and policy development and the identification of emerging trends and issues in crime prevention and criminal justice among States, intergovernmental organizations and individual experts representing various professions and disciplines,

*Recalling* its resolution 57/270B of 23 June 2003 on the integrated and coordinated implementation of and follow-up to the outcomes of the major United Nations conferences and summits in the economic and social fields, in which it stressed that all countries should promote policies consistent and coherent with the commitments of the major United Nations conferences and summits, emphasized that the United Nations system had an important responsibility to assist Governments to stay fully engaged in the follow-up to and implementation of agreements and commitments reached at the major United Nations conferences and summits and invited its intergovernmental bodies to further promote the implementation of the outcomes of the major United Nations conferences and summits,

*Recalling also* its resolution 62/173 of 18 December 2007, in which it endorsed the recommendations made by the Intergovernmental Group of Experts on Lessons Learned from United Nations Congresses on Crime Prevention and Criminal Justice at its meeting held in Bangkok from 15 to 18 August 2006,[1]

*Recalling further* its resolution 70/174 of 17 December 2015, in which it endorsed the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, and welcomed with appreciation the offer of the Government of Japan to act as host to the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, in 2020,

*Recalling* its resolution 72/192 of 19 December 2017, in which it approved the agenda items and decided upon the main theme and the topics for the workshops of the Fourteenth Congress and also decided that the duration of the Fourteenth Congress should not exceed eight days,

*Recalling also* its resolution 70/1 of 25 September 2015, in which it adopted the 2030 Agenda for Sustainable Development,

*Recognizing* the importance of the substantive contributions that the Fourteenth Congress can make to the implementation of the 2030 Agenda,

*Encouraged* by the success of the Thirteenth Congress as one of the largest and most diverse forums for the exchange of views on and experiences in research, law and policy and programme development between States, intergovernmental and non-governmental organizations and individual experts representing various professions and disciplines,

*Stressing* the importance of undertaking all preparatory activities for the Fourteenth Congress in a timely and concerted manner,

[1] See E/CN.15/2007/6, chap. IV.

*Having considered* the report of the Secretary-General,[4]

1. *Reiterates its invitation* to Governments to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[5] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, when formulating legislation and policy directives and to make all efforts, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

2. *Welcomes* the work undertaken by the United Nations Office on Drugs and Crime in following up on the implementation of the Doha Declaration;

3. *Notes with appreciation* the progress made thus far in the preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice;

4. *Decides* to hold the Fourteenth Congress in Kyoto, Japan, from 20 to 27 April 2020, with pre-Congress consultations to be held on 19 April 2020;

5. *Also decides* that the high-level segment of the Fourteenth Congress shall be held during the first two days of the Congress in order to allow Heads of State or Government and Government ministers to focus on the main theme of the Congress and to enhance the possibility of generating useful feedback;

6. *Further decides* that, in accordance with its resolution 56/119, the Fourteenth Congress shall adopt a single declaration, to be submitted to the Commission on Crime Prevention and Criminal Justice for its consideration;

7. *Takes note with appreciation* of the draft discussion guide prepared by the Secretary-General, in cooperation with the institutes of the United Nations crime prevention and criminal justice programme network, for the regional preparatory meetings and for the Fourteenth Congress;

8. *Requests* the Secretary-General to finalize the discussion guide in a timely manner, taking into account the recommendations of the Commission on Crime Prevention and Criminal Justice, as well as additional comments and feedback from Member States, in order to enable the regional preparatory meetings for the Fourteenth Congress to be held as early as possible in 2019;

9. *Reiterates its request* to the Secretary-General to proceed with the organization of the four regional preparatory meetings for the Fourteenth Congress and to make available the necessary resources for the participation of the least developed countries in those meetings and in the Congress itself, in accordance with past practice, as well as making a special effort to organize the regional preparatory meeting for European and other States so as to benefit from their input;

10. *Urges* Governments to actively participate in the regional preparatory meetings, where appropriate, and invite their representatives to examine the substantive items on the agenda and the topics of the workshops of the Fourteenth Congress and to make action-oriented recommendations for consideration by the Congress;

11. *Invites* Governments to undertake preparations for the Fourteenth Congress at an early stage by all appropriate means, including, where appropriate, the establishment of national preparatory committees;

[4] E/CN.15/2018/11.

[5] General Assembly resolution 70/174, annex.

12. *Reiterates its invitation* to Member States to be represented at the Fourteenth Congress at the highest possible level, for example, by Heads of State or Government, Government ministers or attorneys general, and to make statements on the theme and topics of the Congress;

13. *Also reiterates its invitation* to Member States to play an active role in the Fourteenth Congress by sending legal and policy experts, including practitioners with special training and practical experience in crime prevention and criminal justice;

14. *Requests* the Secretary-General to encourage the participation of representatives from relevant entities of the United Nations system in the Fourteenth Congress, bearing in mind the main theme, agenda items and workshop topics of the Congress;

15. *Also requests* the Secretary-General, subject to the availability of extrabudgetary resources, to facilitate the participation of developing countries in the workshops, and encourages States, the institutes of the United Nations crime prevention and criminal justice programme network, other concerned entities and the Secretary-General to work together in order to ensure that the workshops are well focused and achieve practical results, leading to technical cooperation ideas and projects and documents for enhancing bilateral and multilateral technical assistance activities in crime prevention and criminal justice;

16. *Reiterates its request* to the Secretary-General to facilitate the organization of ancillary meetings of non-governmental and professional organizations participating in the Fourteenth Congress, in accordance with past practice, as well as meetings of professional and geographical interest groups, and to take appropriate measures to encourage the participation of the academic and research community in the Congress, and encourages Member States to actively participate in the above-mentioned meetings, as they provide an opportunity to develop and maintain a strong partnership with the private sector and civil society organizations;

17. *Requests* the Secretary-General to prepare a plan for the documentation for the Fourteenth Congress, in consultation with the extended Bureau of the Commission on Crime Prevention and Criminal Justice;

18. *Again encourages* the relevant specialized agencies and programmes of the United Nations and intergovernmental and non-governmental organizations, as well as other professional organizations, to cooperate with the United Nations Office on Drugs and Crime in the preparations for the Fourteenth Congress;

19. *Requests* the Secretary-General to appoint a Secretary-General and an Executive Secretary of the Fourteenth Congress, in accordance with past practice, to perform their functions under the rules of procedure for United Nations congresses on crime prevention and criminal justice;

20. *Also requests* the Secretary-General to provide the United Nations Office on Drugs and Crime with the necessary resources, from within the overall appropriations of the programme budget for the biennium 2018–2019 and the programme budget for 2020, to support the preparations for and holding of the Fourteenth Congress;

21. *Further requests* the Secretary-General to ensure, in collaboration with Member States, a wide and effective programme of public information relating to the preparations for the Fourteenth Congress, to the Congress itself and to the follow-up to and implementation of its recommendations;

22. *Requests* the Commission on Crime Prevention and Criminal Justice to accord sufficient time at its twenty-eighth session to reviewing the progress made in the preparations for the Fourteenth Congress, to finalize in a timely manner all

outstanding organizational and substantive arrangements and to make its recommendations to the General Assembly through the Economic and Social Council;

23. *Requests* the Secretary-General to ensure proper follow-up to the present resolution and to report thereon to the General Assembly through the Commission at its twenty-eighth session.

**Draft resolution III**

## The rule of law, crime prevention and criminal justice in the context of the Sustainable Development Goals

*The General Assembly*,

*Reaffirming its commitment* to the purposes and principles of the Charter of the United Nations and international law, which are the indispensable foundation of a more peaceful, prosperous and just world, and reiterating its determination to foster strict respect for them and to establish a just and lasting peace all over the world,

*Taking note* of the relevant provisions of the Declaration of the High-level Meeting of the General Assembly on the Rule of Law at the National and International Levels,[6] including that human rights, the rule of law and democracy are interlinked and mutually reinforcing and that they belong to the universal and indivisible core values and principles of the United Nations,

*Mindful* of its resolution 72/119 of 7 December 2017, entitled "The rule of law at the national and international levels", as well as all its previous resolutions on that topic,

*Mindful also* of its resolution 72/196 of 19 December 2017, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", as well as all its previous resolutions on that topic,

*Mindful further* of Economic and Social Council resolutions 2004/25 of 21 July 2004, 2005/21 of 22 July 2005 and 2006/25 of 27 July 2006 on strengthening the rule of law and the reform of criminal justice institutions, as well as the technical assistance activities of the United Nations crime prevention and criminal justice programme in that area, including in post-conflict reconstruction,

*Recalling* its resolutions 67/186 of 20 December 2012, entitled "Strengthening the rule of law and the reform of criminal justice institutions, particularly in the areas related to the United Nations system-wide approach to fighting transnational organized crime and drug trafficking", and 68/188 of 18 December 2013, entitled "The rule of law, crime prevention and criminal justice in the United Nations development agenda beyond 2015",

*Aware* of the importance of its resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which includes the commitment to promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions, and, in this respect, recalling its resolution 70/299 of 29 July 2016 on the follow-up to and review of the 2030 Agenda for Sustainable Development at the global level,

*Expressing its grave concern* about the negative effects of all manifestations of transnational organized crime on development, peace, stability and security and human rights,

[6] General Assembly resolution 67/1.

*Convinced* that the rule of law and development are strongly interrelated and mutually reinforcing and that the advancement of the rule of law at the national and international levels, including through crime prevention and criminal justice mechanisms, is essential for sustained and inclusive economic growth and sustainable development and the full realization of all human rights and fundamental freedoms,

*Expressing appreciation* for the ongoing efforts of Member States to promote the rule of law and strengthen crime prevention and criminal justice, including by integrating development programmes into their initiatives in this regard,

*Convinced* that the promotion of and respect for the rule of law at the national and international levels, as well as justice and good governance, should guide the activities of the United Nations and its Member States,

*Emphasizing* its commitment and strong political will in support of effective, fair, humane and accountable criminal justice systems and the institutions comprising them, encouraging the effective participation and inclusion of all sectors of society, thus creating the conditions needed to advance the wider United Nations agenda, and recognizing the responsibility of Member States to uphold human dignity, all human rights and fundamental freedoms for all, in particular those affected by crime and those who may be in contact with the criminal justice system, including vulnerable members of society, regardless of their status, who may be subject to multiple and aggravated forms of discrimination, and to prevent and counter crime motivated by intolerance or discrimination of any kind,

*Encouraging* Member States to consider using and applying the United Nations standards and norms in crime prevention and criminal justice to strengthen fair and effective criminal justice systems, bearing in mind the importance of the rule of law and its relevance for achieving the Sustainable Development Goals,

*Stressing* the significance of a well-functioning, efficient, fair, effective and humane criminal justice system as the basis for a successful strategy against transnational organized crime, corruption, terrorism, illicit drug production, manufacturing and trafficking, trafficking in persons and other dangerous forms of trafficking,

*Recognizing* the importance of the rule of law to all areas of engagement within the United Nations system, and noting with appreciation the progress made in ensuring coherence and coordination of activities to support the rule of law, in cooperation with the Rule of Law Coordination and Resource Group, while recognizing the different mandates of different United Nations entities,

*Bearing in mind* that the activities of the United Nations carried out in support of efforts by Governments to promote and consolidate the rule of law are undertaken in accordance with the Charter, and stressing the need to strengthen support to Member States, upon their request, in the domestic implementation of their respective international obligations through enhanced technical assistance and capacity-building,

*Emphasizing* the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[7] in which Member States recognized the importance of effective, fair, humane and accountable crime prevention and criminal justice systems and the institutions comprising them as a central component of the rule of law,

*Encouraging* Member States to develop and implement, as appropriate, comprehensive crime prevention policies and national and local strategies and action

[7] General Assembly resolution 70/174, annex

plans based on an understanding of the multiple factors that contribute to crime and to address such factors in a holistic manner, in close cooperation with all stakeholders, including civil society, and, in this respect, stressing that social development and the promotion of the rule of law, including the fostering of a culture of lawfulness while respecting cultural identities, in accordance with the Doha Declaration, should be integral elements of strategies to foster crime prevention and economic development in all States,

*Aware* that the high-level political forum on sustainable development, at its meeting in 2019, which will have as its theme "Empowering people and ensuring inclusiveness and equality", will review, inter alia, the implementation of Sustainable Development Goal 16,

*Recalling* Commission on Crime Prevention and Criminal Justice Resolution 26/3 of 26 May 2017, entitled "Mainstreaming a gender perspective into crime prevention and criminal justice policies and programmes and into efforts to prevent and combat transnational organized crime",

1. *Reaffirms* the importance of its resolution 70/1, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which includes the commitment to promoting peaceful and inclusive societies for sustainable development, providing access to justice for all and building effective, accountable and inclusive institutions at all levels;

2. *Urges* Member States to continue to recognize the cross-cutting nature of the rule of law, crime prevention and criminal justice and development, and recommends that such linkages and interrelationships be properly addressed and further elaborated, while reiterating the commitments made with regard to the implementation of the 2030 Agenda for Sustainable Development, in particular in connection with the achievement of Sustainable Development Goal 16;

3. *Renews its call* upon relevant entities of the United Nations system to continue cooperating and coordinating their activities, within their respective mandates, to promote a more integrated approach to the provision of assistance for building capacity in the area of the rule of law and criminal justice reform and to further explore joint projects in that area;

4. *Reiterates its invitation* to Governments to take into consideration the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda, and Public Participation,[8] adopted by the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice, when formulating legislation and policy directives and to make every effort, where appropriate, to implement the principles contained therein in conformity with the purposes and principles of the Charter of the United Nations;

5. *Emphasizes* the commitment expressed in the Doha Declaration to holistic and comprehensive approaches to countering crime, violence, corruption and terrorism in all their forms and manifestations, and to ensuring that those responses are implemented in a coordinated and coherent way, along with broader programmes or measures for social and economic development, poverty eradication, respect for cultural diversity, social peace and social inclusion;

6. *Urges* Member States to mainstream crime prevention strategies with a gender perspective that are aimed at children and youth into all relevant social and economic policies and programmes, including those addressing education, health, civic participation, socioeconomic opportunities, information and communications technology and public safety and security, in order to protect children and youth from social marginalization and exclusion and to reduce their risk of becoming victims or

[8] Ibid

offenders, and to this end to strive to achieve all relevant Sustainable Development Goals, including Goals 3, 4, 5, 8, 9, 10, 11, 16 and 17;

7. *Also urges* Member States to adopt integrated and comprehensive responses to violence against women in order to reduce risks of gender-related killing through early intervention and risk assessment, exercise due diligence to prevent, investigate, prosecute and punish gender-related killing of women and girls, ensure equal protection of women under the law and equal access to justice, consider adopting an integrated, multidisciplinary and gender-sensitive approach to the prevention, investigation, prosecution and punishment of gender-related killing of women and girls to minimize the risk of secondary victimization in the criminal justice system, develop appropriate mechanisms and enhance capacities for forensic investigations to identify human remains and missing persons and, to these ends, strive to achieve all relevant Sustainable Development Goals, including Goals 5 and 16;

8. *Invites* Member States to promote educational programmes related to crime prevention and criminal justice, in particular for young people, that foster an understanding of justice and the rule of law, which is an approach to be taken by Governments towards the general public to promote trust and respect for the law and its enforcement, and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 4 and 16;

9. *Also invites* Member States to intensify, in line with their domestic legal frameworks, national and international efforts to eliminate all forms of discrimination, including racism, religious intolerance, xenophobia and gender-related discrimination by, inter alia, raising awareness, developing educational materials and programmes and considering, where appropriate, drafting and enforcing legislation against discrimination and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 4, 5, 8, 10 and 16;

10. *Encourages* Member States, with the active participation of the private sector, to promote crime prevention and social inclusion programmes and employability schemes for vulnerable members of society, including victims and those released from prison, and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 1, 2, 3, 4, 5, 8, 10, 11 and 16;

11. *Also encourages* Member States to adopt effective measures to prevent and counter the serious problem of crimes that have an impact on the environment, such as trafficking in wildlife, including fauna and flora as protected by the Convention on International Trade in Endangered Species of Wild Fauna and Flora,[9] and poaching, as well as illicit trafficking in forest products, including timber, and, to these ends, to strive to achieve all relevant Sustainable Development Goals, including Goals 13, 14, 15 and 16;

12. *Acknowledges* the ongoing work of the United Nations Office on Drugs and Crime, within its mandate, in the area of education for justice, including under the Education for Justice initiative, which is a key component of the Global Programme for the Implementation of the Doha Declaration, and requests the Office to continue its efforts to promote education on the rule of law and justice in collaboration with the United Nations Educational, Scientific and Cultural Organization and other relevant stakeholders;

13. *Notes* that the main theme of the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, to be held in Kyoto, Japan, in 2020, will be "Advancing crime prevention, criminal justice and the rule of law: towards the

[9] United Nations, *Treaty Series*, vol. 993, No. 14537.

achievement of the 2030 Agenda", and looks forward to fruitful discussions at the regional preparatory meetings and at the Congress on that subject;

14. *Invites* Member States participating in the regional preparatory meetings for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice to make specific proposals and recommendations in line with its theme, related to the advancement of the rule of law, for consideration by the Congress;

15. *Welcomes* the efforts of the United Nations Office on Drugs and Crime to assist Member States in improving systems for collecting and analysing data on crime prevention and criminal justice at all levels, where necessary, including gender-specific data, in order to promote the rule of law and achieve sustainable development, and notes the application of the International Classification of Crime for Statistical Purposes;

16. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, upon request, to strengthen the rule of law, taking into account the work undertaken by other United Nations entities, within existing mandates, as well as regional and bilateral efforts, and to continue to ensure coordination and coherence, including through the Rule of Law Coordination and Resource Group;

17. *Requests* the Secretary-General to continue to provide the United Nations Office on Drugs and Crime with adequate resources to support, in an effective manner, its efforts towards the implementation of its mandates and, as appropriate, the global follow-up and thematic review relating to its existing mandates, which are essential for strengthening the maintenance of the rule of law at the national and international levels, including by providing special support to the Commission on Crime Prevention and Criminal Justice to enable it to actively contribute, as appropriate, to the global follow-up to and thematic review of progress made by Member States in the achievement of the Sustainable Development Goals as set forth in Assembly resolution 70/299;

18. *Encourages* Member States to take relevant measures, as appropriate to their national contexts, to promote the diffusion, use and application of the United Nations standards and norms in crime prevention and criminal justice, including the consideration and, where they deem it necessary, dissemination of existing manuals, handbooks and capacity-building material developed and published by the United Nations Office on Drugs and Crime;

19. *Welcomes* the efforts of the Secretary-General towards stronger coordination and integration of rule of law assistance, through specialized and relevant international organizations, in order to enhance predictability, coherence, accountability and effectiveness in the delivery of rule of law assistance at the national and international levels, and encourages further participation by the United Nations Office on Drugs and Crime in such arrangements, in particular with regard to police, justice and corrections;

20. *Invites* the institutes of the United Nations crime prevention and criminal justice programme network to continue to include in their work programme the issue of the rule of law and the provision of assistance to States, at their request, in responding to the challenges posed to the rule of law and development, as well as to strengthen their efforts to support the implementation of the 2030 Agenda for Sustainable Development;

21. *Calls upon* Member States, international organizations and all relevant stakeholders to provide to the United Nations Office on Drugs and Crime their views on advancing crime prevention and criminal justice, in the context of Sustainable Development Goal 16, as well as their views on the contribution that the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice, considering its

main theme, could make to the furtherance of these issues, and requests the Office to report to the Congress on that matter;

22. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.

## B. Draft decisions for adoption by the Economic and Social Council

2. The Commission on Crime Prevention and Criminal Justice recommends to the Economic and Social Council the adoption of the following draft decisions:

**Draft decision I**

### Appointment of one member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

The Economic and Social Council decides to endorse the appointment of Suzanne Hayden (United States of America) to the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute.

**Draft decision II**

### Report of the Commission on Crime Prevention and Criminal Justice on its twenty-seventh session and provisional agenda for its twenty-eighth session

The Economic and Social Council:

(a) Takes note of the report of the Commission on Crime Prevention and Criminal Justice on its twenty-seventh session;

(b) Reaffirms Commission decision 21/1 of 27 April 2012;

(c) Approves the provisional agenda for the twenty-eighth session set out below.

**Provisional agenda for the twenty-eighth session of the Commission on Crime Prevention and Criminal Justice**

1. Election of officers.
2. Adoption of the agenda and other organizational matters.
3. General debate.
4. Strategic management, budgetary and administrative questions:
   (a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;
   (b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;
   (c) Working methods of the Commission;
   (d) Staff composition of the United Nations Office on Drugs and Crime and other related matters.

5. Thematic discussion on the responsibility of effective, fair, humane and accountable criminal justice systems in preventing and countering crime motivated by intolerance or discrimination of any kind.

6. Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:

   (a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;

   (b) Ratification and implementation of the United Nations Convention against Corruption;

   (c) Ratification and implementation of the international instruments to prevent and combat terrorism;

   (d) Other crime prevention and criminal justice matters;

   (e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies.

7. Use and application of United Nations standards and norms in crime prevention and criminal justice.

8. World crime trends and emerging issues and responses in the field of crime prevention and criminal justice.

9. Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice.

10. Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up to and review and implementation of the 2030 Agenda for Sustainable Development.

11. Provisional agenda for the twenty-ninth session of the Commission.

12. Other business.

13. Adoption of the report of the Commission on its twenty-eighth session.

## C. Matters brought to the attention of the Economic and Social Council

3. The following resolutions and decisions adopted by the Commission on Crime Prevention and Criminal Justice are brought to the attention of the Economic and Social Council:

**Resolution 27/1**

### Budget for the biennium 2018–2019 for the United Nations Crime Prevention and Criminal Justice Fund

*The Commission on Crime Prevention and Criminal Justice*,

*Exercising* the administrative and financial functions entrusted to it by the General Assembly in its resolution 61/252 of 22 December 2006,

*Having considered* the report of the Executive Director of the United Nations Office on Drugs and Crime containing the proposed budget for the biennium 2018–2019 for the United Nations Crime Prevention and Criminal Justice Fund[10] and the related recommendations of the Advisory Committee on Administrative and Budgetary Questions,[11]

*Recalling* its resolution 26/5 of 8 December 2017,

*Having considered* the note by the Executive Director on the adjustments to the consolidated budget for the biennium 2018–2019 for the Office,[12]

1. *Notes* the adjustments proposed to the budget for the biennium 2018–2019 for the United Nations Crime Prevention and Criminal Justice Fund;

2. *Approves* the projected use of general-purpose funds in the biennium 2018–2019, and endorses the estimates for programme support cost funds and special-purpose funds, as indicated in the table below.

**Resource projections for the United Nations Crime Prevention and Criminal Justice Fund**

| | *Resources (thousands of United States dollars)* | | *Posts* | |
|---|---|---|---|---|
| *Category* | *Initial budget, 2018–2019* | *Revised estimates, 2018–2019* | *Approved budget 2018–2019* | *Revised estimates, 2018–2019* |
| **General-purpose** | | | | |
| Post | 1 783.9 | 1 886.0 | 6 | 6 |
| Non-post | 1 120.3 | 701.4 | – | – |
| **Subtotal** | **2 904.1** | **2 587.3** | **6** | **6** |
| **Special-purpose** | **304 661.1** | **304 661.1** | **238** | **238** |
| **Subtotal** | **304 661.1** | **304 661.1** | **238** | **238** |
| **Programme support cost** | | | | |
| Post | 18 510.5 | 19 034.3 | 63 | 63 |
| Non-post | 6 527.3 | 5 938.5 | – | – |
| **Subtotal** | **25 037.8** | **24 972.8** | **63** | **63** |
| **Total** | **332 603.0** | **332 221.2** | **307** | **307** |

**Resolution 27/2**

## Preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies

*The Commission on Crime Prevention and Criminal Justice,*

*Recalling* General Assembly resolution 71/167 of 19 December 2016, in which the Assembly reiterated its strong condemnation of trafficking in persons, especially women and children, which constitutes a serious crime and a grave offence to human dignity and physical integrity, a violation and abuse of human rights and a challenge to sustainable development,

*Recalling* all relevant United Nations resolutions, and noting recent special meetings on trafficking in persons held by the main organs of the United Nations with

[10] E/CN.7/2017/12–E/CN.15/2017/14.
[11] E/CN.7/2017/13–E/CN.15/2017/15.
[12] E/CN.7/2018/12–E/CN.15/2018/14.

a mandate relating to trafficking in persons that addressed various aspects of that crime,

*Emphasizing* the central role of the work of the United Nations Office on Drugs and Crime in the global fight against trafficking in persons, in particular in providing technical assistance to Member States, at their request, to implement the United Nations Convention against Transnational Organized Crime[13] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[14] including by making use of existing capacity-building tools, lessons learned from Member States and expertise available in other international organizations,

*Recalling* the adoption by the General Assembly of the 2030 Agenda for Sustainable Development,[15] and also recalling the targets of the Sustainable Development Goals on eliminating all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation,[16] on taking immediate and effective measures to eradicate forced labour, end modern slavery and human trafficking and secure the prohibition and elimination of the worst forms of child labour, including recruitment and use of child soldiers, and by 2025 end child labour in all its forms,[17] and on ending abuse and exploitation of, trafficking in and all forms of violence against and torture of children,[18]

*Recognizing* that the spread of information and communications technologies and global interconnectedness have great potential to accelerate human progress, to bridge the digital divide and to develop knowledge societies, as does scientific and technological innovation across diverse areas,

*Acknowledging* that access to information and communications technologies, in particular digital and networked technologies, as well as digital skills, can be key indicators of development and are relevant to the achievement of the Sustainable Development Goals,

*Welcoming* the adoption, at the high-level meeting of the General Assembly held at United Nations Headquarters on 27 and 28 September 2017, of the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[19] in which Member States, inter alia, noted with concern the criminal misuse of information and communications technologies, in particular the Internet, to facilitate trafficking in persons and emphasized the importance of countering such use while respecting human rights and fundamental freedoms, including the right to privacy, in compliance with other obligations under international law,

*Recognizing* that traffickers are taking advantage of information and communications technologies to reach larger audiences and to carry out criminal activities more quickly and efficiently,

*Aware* that, in the facilitation of trafficking in persons, criminals use a variety of online resources, including various online open and classified advertisement and adult sites, social networks and other available technological means, such as the darknet, to obscure online communications,

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[13] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[14] Ibid., vol. 2237, No. 39574.
[15] General Assembly resolution 70/1.
[16] Target 5.2 of the Sustainable Development Goals.
[17] Target 8.7 of the Sustainable Development Goals.
[18] Target 16.2 of the Sustainable Development Goals.
[19] General Assembly resolution 72/1.

*Aware also* that information and communications technologies have been criminally misused to facilitate various aspects of trafficking in persons, including advertisement, recruitment, movement, harbouring and financial transactions, and the various forms of exploitation, including trafficking for the purposes of sexual exploitation, forced labour or the removal of organs, as well as forced marriage, the sexual exploitation of children in travel and tourism and the production and distribution of child sexual abuse material,

*Concerned* that the online resources used for the facilitation of trafficking in persons can be accessed through mobile applications and smartphones, which are particularly popular among children and adolescents, thereby making them potentially vulnerable to trafficking in persons,

*Noting with concern* the criminal misuse by terrorist groups of information and communications technologies to facilitate trafficking in persons, in particular the sale and trade of persons by terrorist groups, and emphasizing the importance of countering such criminal activities as part of counter-terrorism efforts while respecting human rights and fundamental freedoms and in compliance with other obligations under international law,

*Recognizing* the potential of the Internet and other information and communications technologies to facilitate efforts to prevent and combat trafficking in persons and to assist victims, and stressing the need for increased law enforcement cooperation in this regard to address the new challenges generated by the rapid development of the Internet and other information and communications technologies,

*Recalling* article 27, paragraph 3, of the Organized Crime Convention, which requires States parties to endeavour to cooperate within their means in order to respond to transnational organized crime committed through the use of modern technology,

*Conscious* of the challenges faced by Member States, in particular developing countries, in preventing and combating the criminal misuse of information and communications technologies, including for trafficking in persons, and emphasizing the need to continue international cooperation in this regard and to reinforce technical assistance and capacity-building activities, at the request of Member States, for the prevention, prosecution and punishment of such criminal misuse, in accordance with national and international law,

*Underlining* the importance of education on the safe and secure use of information and communications technologies as a means of prevention, in particular among women, children and other vulnerable members of society, with a view to reducing the risk factors for trafficking in persons,

*Taking note* of the *Study on the Effects of New Information Technologies on the Abuse and Exploitation of Children*, by the United Nations Office on Drugs and Crime,

*Noting* the importance of continuing intergovernmental dialogue on trafficking in persons facilitated by the criminal misuse of information and communications technologies, including, where relevant and within their mandates, in the context of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime and of the Working Group on Trafficking in Persons of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[11] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the

United Nations Convention against Transnational Organized Crime,[14] taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to implement them fully and effectively;

2. *Calls upon* Member States to take into consideration and adapt to technological advancements and new methods for the recruiting and advertising of victims of trafficking in persons, such as the criminal misuse of the Internet by perpetrators of trafficking in persons to recruit people, and to take measures to develop targeted awareness-raising campaigns, including for law enforcement agencies, front-line service providers and at-risk industries to identify the signs of trafficking in persons, and to develop specialized training for law enforcement officers and criminal justice practitioners;

3. *Also calls upon* Member States to develop effective responses to trafficking in persons facilitated by the criminal misuse of information and communications technologies that are adaptable to constant change in such technologies and that take into account both the protection of individual freedoms and privacy and the preservation of the capacity of States to fight trafficking in persons;

4. *Underlines* the importance for Member States to develop effective cooperation between their law enforcement authorities and Internet service providers, including those that provide content and access within their jurisdictions, in order to prevent and combat trafficking in persons facilitated by the criminal misuse of information and communications technologies;

5. *Encourages* Member States to cooperate with businesses to identify and address trafficking-related risks in their supply chains for goods and services and in efforts to prevent and combat trafficking in persons, including by leveraging technology;

6. *Urges* Member States to prevent and combat trafficking in persons by terrorist groups that is facilitated by the criminal misuse of information and communications technologies;

7. *Encourages* Member States to cooperate with civil society organizations in preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies, including through awareness-raising campaigns and by identifying and assisting victims of trafficking in persons;

8. *Also encourages* Member States to cooperate with the academic and research communities to explore the impact of information and communications technologies on trafficking in persons, including how such technologies can be utilized to prevent and combat trafficking in persons in its various forms and to assist victims of trafficking, and how the criminal misuse of such technologies can facilitate trafficking in persons;

9. *Requests* the United Nations Office on Drugs and Crime to continue providing, within its existing mandate, technical assistance and training to Member States, in particular developing countries, at their request, to improve and build capacities to prevent and combat trafficking in persons that is facilitated by the criminal misuse of information and communications technologies, and to utilize technology to prevent and address such trafficking;

10. *Also requests* the United Nations Office on Drugs and Crime, as a coordinator of the Inter-Agency Coordination Group against Trafficking in Persons, to invite the Group to discuss the issue of the criminal misuse of information and communications technologies to facilitate trafficking in persons at one of its meetings;

11. *Invites* States parties to the Organized Crime Convention to consider including the topic of preventing and combating trafficking in persons facilitated by the criminal misuse of information and communications technologies in their deliberations in the context of the Conference of the Parties to the Convention and its Working Group on Trafficking in Persons;

12. *Invites* the Secretary-General to include a section on the implementation of the present resolution within the existing reporting obligations to the General Assembly under the item on crime prevention and criminal justice;

13. *Invites* Member States and other donors to provide extrabudgetary resources for these purposes, in accordance with the rules and procedures of the United Nations.

**Resolution 27/3**

## Improving the protection of children against trafficking in persons, including by addressing the criminal misuse of information and communications technologies

*The Commission on Crime Prevention and Criminal Justice*,

*Reaffirming* the importance of the implementation by States parties of the United Nations Convention against Transnational Organized Crime,[20] the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[21] and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime,[22]

*Reaffirming also* the importance of the implementation by States parties of the Convention on the Rights of the Child[23] and the Convention on the Elimination of All Forms of Discrimination against Women,[24] and recognizing the relevance of those instruments to the protection of children against trafficking in persons,

*Recalling* the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons, adopted by the General Assembly in its resolution 72/1 of 27 September 2017, in which Member States expressed their serious concern over the increase in the number of women and children being trafficked, recognized that trafficking in persons disproportionately affected women and children and called upon Member States to establish comprehensive policies, programmes and other measures to protect trafficked women and children from revictimization and to provide appropriate assistance and protection in the best interest of the child, and recalling also Assembly resolution 71/209 of 19 December 2016, entitled "Strengthening the United Nations crime prevention and criminal justice programme, in particular its technical cooperation capacity", in which the Assembly reaffirmed that the United Nations Convention against Transnational Organized Crime and the Protocols thereto[25] represented the most important tools of the international community for fighting transnational organized crime,

*Reaffirming* General Assembly resolutions 67/190 of 20 December 2012, 68/192 of 18 December 2013, 70/179 of 17 December 2015 and 72/195 of 19 December 2017,

[20] United Nations, *Treaty Series*, vol. 2225, No. 39574.
[21] Ibid., vol. 2237, No. 39574.
[22] Ibid., vol. 2241, No. 39574.
[23] Ibid., vol. 1577, No. 27531.
[24] Ibid., vol. 1249, No. 20378.
[25] Ibid., vols. 2225, 2237, 2241 and 2326, No. 39574.

entitled "Improving the coordination of efforts against trafficking in persons", in which the Assembly called upon Member States to continue their efforts to criminalize trafficking in persons in all its forms and prosecute and penalize traffickers and intermediaries while providing protection and assistance to the victims of trafficking, with full respect for their human rights, and invited Member States to continue to support those United Nations agencies and international organizations that were actively involved in victim protection,

*Taking note* of General Assembly resolution 69/194 of 18 December 2014, entitled "United Nations Model Strategies and Practical Measures on the Elimination of Violence against Children in the Field of Crime Prevention and Criminal Justice", in which the Assembly encouraged Member States, where appropriate, to strengthen multisectoral coordination among all relevant government agencies in order to better prevent, identify and respond to the multidimensional nature of violence against children and ensure that criminal justice and other relevant professionals were adequately trained to deal with children,

*Recalling* General Assembly resolution 67/190, in which the Assembly recalled Commission on Crime Prevention and Criminal Justice resolution 20/3 of 15 April 2011, entitled "Implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons",

*Noting* existing national and international initiatives dedicated to action to end trafficking in children and the sexual exploitation of children online,

*Noting* the Education for Justice initiative of the United Nations Office on Drugs and Crime and its relevance to preventing and combating trafficking in children, including when facilitated by the criminal misuse of information and communications technologies,

*Expressing concern* that the criminal misuse of information and communications technologies makes it possible for criminals to commit illegal activities such as the recruitment, control and harbouring of children subjected to trafficking in persons and the advertising of the trafficking in such children, as well as the construction of false identities that enables the abuse and/or exploitation of children, grooming and the creation of live-streamed or other child abuse materials,

*Recalling* the definition of trafficking in persons established by article 3 (a) of the Trafficking in Persons Protocol as "the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person, for the purpose of exploitation",

*Noting* the importance of intergovernmental dialogue in effectively preventing and combating the criminal misuse of information and communications technologies, including in relation to trafficking in persons, including, as appropriate and within their existing mandates, in the context of the Expert Group to Conduct a Comprehensive Study on Cybercrime and the Working Group on Trafficking in Persons of the Conference of the Parties to the United Nations Convention against Transnational Organized Crime,

*Acknowledging* the importance of the ongoing efforts of the United Nations Office on Drugs and Crime, within its existing mandate, to support Member States, upon request, in strengthening capacities to combat trafficking in children, including when facilitated by the criminal misuse of information and communications technologies,

1. *Calls upon* Member States to strengthen their efforts to protect children from all forms of trafficking in persons, including when facilitated by the criminal misuse of information and communications technologies;

2. *Encourages* Member States to implement comprehensive measures to prevent children from being exposed to the risk of trafficking in persons, including when facilitated by the criminal misuse of information and communications technologies, and to assist children who have been victims of trafficking in persons by providing them with information and protection, including effective reintegration programmes;

3. *Also encourages* Member States to take, consistent with domestic law, legislative or other measures, where appropriate, to facilitate the detection, by Internet service and access providers or other relevant entities, of child sexual exploitation and child abuse materials related to offences involving trafficking in children, as required by domestic frameworks and to ensure, in compliance with domestic law, the reporting of such materials to the relevant authorities and their removal by Internet service and access providers or other relevant entities, including in conjunction with law enforcement authorities in investigation and prosecution;

4. *Further encourages* Member States to further enhance international and regional cooperation in combating trafficking in persons and to consider appointing, where it has not been done so, national governmental focal points who could facilitate informal networks at the regional level to enable the exchange of best practices to address trafficking in persons, in particular trafficking in children, including when facilitated by the criminal misuse of information and communications technologies;

5. *Encourages* Member States, in accordance with domestic legal frameworks and applicable international obligations, to develop and implement a comprehensive strategy to provide protection and assistance to victims of trafficking in children, including a possible referral mechanism, where applicable, that takes into account the special needs of children, in close cooperation with relevant civil society organizations, where appropriate, and to facilitate a possible transnational mechanism to ensure the safe return and reintegration of identified victims;

6. *Also encourages* Member States to enhance training for all relevant officials, as appropriate, on preventing and combating all forms of trafficking in children, including when facilitated by the criminal misuse of information and communications technologies;

7. *Invites* Member States and other donors to provide, on a voluntary basis, extrabudgetary resources for the implementation of the present resolution, in accordance with the rules and procedures of the United Nations.

**Resolution 27/4**

## Strengthening measures against trafficking in persons

*The Commission on Crime Prevention and Criminal Justice*,

*Reiterating* its strong condemnation of trafficking in persons, especially women and children, which constitutes an offence and a serious threat to human dignity, the physical integrity of persons, human rights and development, and which requires the implementation of a comprehensive approach that includes measures to prevent it, to prosecute and punish traffickers and to protect the victims, as well as a criminal justice response commensurate with the serious nature of the offence,

*Welcoming* the ratification of or accession to, by 173 parties, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational

Organized Crime,[26] which provides an effective global legal framework to promote international cooperation against trafficking in persons,

*Recalling* the adoption by the General Assembly of resolution 70/1 of 25 September 2015, containing the 2030 Agenda for Sustainable Development, and targets 5.2, 8.7 and 16.2 of the Sustainable Development Goals, which reaffirm the commitment of Member States to taking immediate and effective measures to, inter alia, eradicate forced labour and end modern slavery and trafficking in persons,

*Recognizing* the need to continue to foster a global partnership against trafficking in persons and the need to continue to work towards an enhanced, comprehensive and coordinated approach to prevent and combat trafficking and to protect and assist victims of trafficking in persons through the appropriate national, regional and international mechanisms,

*Recognizing also* the importance of bilateral, subregional, regional and international cooperation mechanisms and initiatives, including information exchanges on best practices, of Governments and intergovernmental and non-governmental organizations to address the problem of trafficking in persons, especially women and children,

*Drawing attention* to the need to address the new challenges generated by the rapid development and potential for criminal misuse of the Internet and other information and communications technologies that are being used to facilitate trafficking in persons, including for the purpose of exploiting women and children, and to recruit and harbour victims, while also taking into account that information and communications technologies can assist law enforcement and criminal justice authorities in preventing and combating trafficking in persons,

*Seriously concerned* that an increasing number of women and girls are being subjected to trafficking in persons, including to developed countries as well as within and between regions and States, and recognizing that trafficking in persons disproportionately affects women and girls and that men and boys are also victims of it, including for sexual exploitation,

1. *Urges* Member States that have not yet done so to consider ratifying or acceding to, as a matter of priority, the United Nations Convention against Transnational Organized Crime[27] and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime,[26] taking into consideration the central role of those instruments in the fight against trafficking in persons, and urges States parties to those instruments to consider developing national strategies to implement them effectively;

2. *Encourages* Member States to consider developing partnerships and networks that bring together national authorities, businesses, the media, academia, civil society organizations, survivors and other social actors to foster cooperation in the design and implementation of policies and programmes to prevent and eliminate trafficking in persons, including by facilitating the sharing of information, experiences and lessons learned, and acknowledging the significant impact of trafficking in persons on the victims' immediate family members, especially children, in accordance with the applicable domestic and international law, and to work to address their needs as far as possible;

3. *Also encourages* Member States, in accordance with their domestic laws, to cooperate with businesses to identify and address trafficking-related risks in their supply chains for goods and services and to make efforts to prevent and help combat

[26] United Nations, *Treaty Series*, vol. 2237, No. 39574.

[27] Ibid., vol. 2225, No. 39574.

trafficking in persons, including for the purposes of all forms of exploitation, as defined in the Trafficking in Persons Protocol;

4. *Further encourages* Member States to continue to promote ongoing, comprehensive training, among other measures, for officials and staff in the immigration, health, foreign affairs, law enforcement, consular, security, labour inspection and social services sectors and others who may come in contact with populations at risk of trafficking in persons, as referenced in the political declaration on the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[28] among others, on the different characteristics of trafficking in persons in all its forms in order to enhance their skills in countering trafficking in persons, including preventing, detecting, investigating and prosecuting trafficking in persons cases, and in providing comprehensive, timely and appropriate care for victims of trafficking in persons, including emotionally traumatized victims, taking into consideration the specifics of each population group and the particular vulnerabilities of each, in accordance with applicable domestic and international laws;

5. *Encourages* Member States to consider developing programmes and continuing to build on existing ones, in accordance with domestic law, that include input from the private sector, civil society and other social actors, including survivors of the crime of trafficking in persons, with a view to helping victims of this crime to reintegrate into society and find employment and educational opportunities, and, in this regard, invites the private sector to contribute to the development of initiatives with Governments to protect and support victims of trafficking and those who are vulnerable to exploitation, including in the context of corporate social responsibility;

6. *Invites* the United Nations Office on Drugs and Crime and other relevant agencies of the United Nations system, within their mandates, to continue their activities to support the implementation of the United Nations Global Plan of Action to Combat Trafficking in Persons,[29] including within the framework of the Inter-Agency Coordination Group against Trafficking in Persons, and, to this end, to incorporate aspects of the 2030 Agenda for Sustainable Development[30] relevant to preventing and combating trafficking in persons and consider how to coordinate future activities and avoid duplication of effort;

7. *Invites* Member States to address the social, economic, cultural, political and other factors that make people vulnerable to trafficking in persons;

8. *Also invites* Member States to strengthen or continue to strengthen their coordination and cooperation at the domestic and international levels to combat crimes that in some cases may be connected to trafficking in persons, including terrorism, money-laundering, corruption, the smuggling of migrants, drug trafficking, the criminal misuse of information and communications technologies and other forms of organized crime;

9. *Calls upon* Member States, where applicable and consistent with their domestic law, to investigate, prosecute and punish those who facilitate, engage in or profit from trafficking in persons, to prevent the provision of safe havens to those found responsible for these crimes and to implement anti-money-laundering measures to identify and confiscate proceeds of these crimes, and requests the United Nations Office on Drugs and Crime to continue providing technical assistance to requesting Member States in this regard;

10. *Encourages* Member States to consider or continue the development of bilateral, regional and multilateral groups or networks of national authorities to

[28] General Assembly resolution 72/1.
[29] General Assembly resolution 64/293.
[30] General Assembly resolution 70/1.

combat trafficking in persons and to consider measures to facilitate inter-institutional cooperation to fight and eradicate this crime and to assist and protect trafficking victims, and requests the United Nations Office on Drugs and Crime to continue providing technical assistance to requesting Member States in this regard;

11. *Stresses* the need for Member States to consider the rights of victims of trafficking in persons, consistent with their domestic law, and to consider including, through victim-centred and trauma-informed measures, to encourage the cooperation of victims and witnesses in criminal proceedings against offenders, specific programmes to protect the privacy and identity of victims and witnesses, ensure their safety before, during and after criminal proceedings and protect their immediate family, as appropriate, from retaliation, and also stresses the importance of proactive investigations and of developing evidence-based investigation techniques that are not solely dependent on victim testimony;

12. *Requests* the United Nations Office on Drugs and Crime to inform the Commission, at its twenty-eighth session, within existing reporting obligations, about the implementation of the present resolution;

13. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes set out in the present resolution, in accordance with the rules and procedures of the United Nations.

**Resolution 27/5**

## International cooperation against trafficking in cultural property

*The Commission on Crime Prevention and Criminal Justice*,

*Recognizing* the criminal nature of trafficking in cultural property and its grave and detrimental impact on the cultural heritage of humankind, as well as the indispensable role of international cooperation in crime prevention and criminal justice responses to counter trafficking in cultural property and related offences in a comprehensive and effective manner, stressing that the development and maintenance of fair and effective criminal justice systems should be a part of any strategy to counter terrorism and transnational organized crime, and recalling in this respect the provisions of the United Nations Convention against Transnational Organized Crime and the Protocols thereto,[31]

*Recalling* the Convention for the Protection of Cultural Property in the Event of Armed Conflict of 14 May 1954[32] and its Protocols,[33] the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property,[34] adopted by the General Conference of the United Nations Educational, Scientific and Cultural Organization on 14 November 1970, the Convention on Stolen or Illegally Exported Cultural Objects,[35] adopted by the International Institute for the Unification of Private Law on 24 June 1995, and other relevant international instruments,

*Underlining* the central role that is played by the United Nations Office on Drugs and Crime and the International Criminal Police Organization (INTERPOL) in preventing and countering all forms and aspects of trafficking in cultural property and related offences, including through fostering effective law enforcement and judicial cooperation,

[31] United Nations, *Treaty Series*, vols. 2225, 2237, 2241 and 2326, No. 39574.
[32] Ibid., vol. 249, No. 3511.
[33] Ibid., vols. 249 and 2253, No. 3511.
[34] Ibid., vol. 823, No. 11806.
[35] Ibid., vol. 2421, No. 43718.

*Noting* the efforts being undertaken by Member States and regional and international intergovernmental organizations to address trafficking in cultural property, including the development of legal frameworks,

*Recalling* General Assembly resolution 66/180 of 19 December 2011 on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, in which the Assembly urged Member States and relevant institutions, as appropriate, to reinforce and fully implement mechanisms to strengthen international cooperation, including mutual legal assistance, in order to combat all forms and aspects of trafficking in cultural property and related offences, such as the theft, looting, damage, removal, pillage and destruction of cultural property, and to facilitate the recovery and return of stolen and looted cultural property, and recalling also General Assembly resolutions 68/186 of 18 December 2013 on strengthening crime prevention and criminal justice responses to protect cultural property, especially with regard to its trafficking, 69/196 of 18 December 2014, entitled "International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences", 69/281 of 28 May 2015 on saving the cultural heritage of Iraq and 70/76 of 9 December 2015 on return or restitution of cultural property to the countries of origin,

*Alarmed* by the growing involvement of organized criminal groups and terrorist groups in all forms and aspects of trafficking in cultural property and related offences, reaffirming the necessity of international cooperation in addressing all aspects of trafficking in cultural property, and noting that such cultural property is frequently transferred through licit markets, such as auctions, including over the Internet,

*Recognizing* the illicit nature of trafficking in cultural property, including its transnational dimension, and the importance of strengthening international cooperation, including through mutual legal assistance, in the detection, investigation and prosecution of this crime,

*Reaffirming* the commitment to striving to strengthen and implement comprehensive crime prevention and criminal justice responses to trafficking in cultural property, as set forth in the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation,[36]

*Recalling* its resolution 24/2 of 22 May 2015, entitled "Strengthening crime prevention and criminal justice responses with respect to trafficking in cultural property and other related offences",

*Recalling also* that article 18, paragraph 1, of the United Nations Convention against Transnational Organized Crime[37] requires States parties to afford one another the widest measure of mutual legal assistance in investigations, prosecutions and judicial proceedings in relation to the offences covered by the Convention, and that article 18, paragraph 13, requires States parties to designate a central authority with the responsibility and power to receive requests for mutual legal assistance and either to execute them or to transmit them to the competent authorities for execution,

*Recalling further* the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences, adopted by the General Assembly in its resolution 69/196, and noting with appreciation the practical assistance tool to assist in the implementation of the Guidelines,

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[36] General Assembly resolution 70/174, annex.

[37] United Nations, *Treaty Series*, vol. 2225, No. 39574.

*Recalling* Human Rights Council resolution 37/17 of 22 March 2018 on cultural rights and the protection of cultural heritage,

*Recognizing* that the Organized Crime Convention offers expanded opportunities for international cooperation in the fight against transnational organized crime, and convinced that, in this regard, the potential of this instrument is yet to be fully developed,

*Taking note* of Security Council resolution 2347 (2017) of 24 March 2017, in which the Council recognized the indispensable role of international cooperation in crime prevention and criminal justice responses to counter trafficking in cultural property,

*Commending* Member States, cultural and educational institutions, museums and civil society for their efforts to combat the illicit trade in cultural property, and welcoming all initiatives for the voluntary return of cultural property that has been illicitly appropriated,

*Bearing in mind* that the establishment and optimization of swift, secure and reliable communication channels are vital in order to provide a rapid and timely response to a fast-moving crime of global magnitude,

*Underlining* the importance of all relevant United Nations entities coordinating their efforts while implementing their respective mandates,

*Expressing deep concern* that cultural property, including religious sites and objects, is increasingly targeted by terrorist attacks, often resulting in damage, theft or complete destruction, and condemning such attacks,

*Expressing deep concern also* about the loss, destruction, theft, pillage, illicit removal or misappropriation of cultural property from archaeological sites, museums, libraries, archives and other sites and any acts of vandalism or damage directed against cultural property, in particular in areas of conflict, including by terrorist groups,

1. *Encourages* Member States that have not yet done so to ratify or accede to the United Nations Convention against Transnational Organized Crime[37] and for States parties to consider using it as a legal basis for requests for mutual legal assistance and other forms of international cooperation, including in relation to trafficking in cultural property where the offence lies within the scope of the Convention;

2. *Welcomes* the adoption of Conference of the Parties to the United Nations Convention against Transnational Organized Crime resolution 8/1 of 21 October 2016, in which the Conference invited States parties, inter alia, to enhance the effectiveness of central and competent authorities in international cooperation in criminal matters to counter transnational organized crime, and urges States parties to implement that resolution, including where it is related to trafficking in cultural property;

3. *Encourages* Member States to review, as appropriate, their legislation, procedures and other practices relating to mutual legal assistance and, if necessary, amend them in order to comply with their obligations under the Organized Crime Convention and other applicable international legal instruments;

4. *Strongly encourages* Member States to apply the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences[38] to the maximum extent possible, where appropriate, including by reviewing their legislation, procedures and other practices and, if necessary, amending them, drawing upon the Guidelines, in order to

[38] General Assembly resolution 69/196, annex

ensure their adequacy for preventing and combating trafficking in cultural property, in view of strengthening international cooperation in this field;

5. *Urges* Member States to request and provide the widest possible international cooperation, including mutual legal assistance, in accordance with domestic legal frameworks and applicable international legal instruments, in investigations, prosecutions, seizure and confiscation in relation to, as well as in the return or restitution of, trafficked, illicitly exported or imported, stolen, looted, illicitly excavated or illicitly traded cultural property, through appropriate channels and in accordance with domestic legal frameworks, and to make effective use, to that end, as applicable, of relevant tools and databases developed under the auspices of the United Nations Educational, Scientific and Cultural Organization, the United Nations Office on Drugs and Crime, INTERPOL and the World Customs Organization, within their respective mandates, and of relevant regional, subregional and bilateral agreements;

6. *Encourages* Member States to enhance cooperation in the fight against illicit trafficking in cultural property, as well as the illegal removal of such property from the countries of origin, including in the prosecution of persons involved in such activities and extradition, in accordance with the laws of cooperating States and under applicable international law;

7. *Also encourages* Member States, where appropriate, to establish bilateral or multilateral agreements for mutual legal assistance in criminal matters, including agreements in the field of trafficking in cultural property and related offences;

8. *Invites* Member States that have not yet done so to criminalize trafficking in cultural property, in accordance with applicable international instruments, including stealing and looting at archaeological and other cultural sites, and to make it a serious crime, as defined in article 2 of the Organized Crime Convention, with a view to bringing within the scope of the Convention all aspects in trafficking in cultural property and related offences where those offences are transnational in nature and involve an organized criminal group as defined in the Organized Crime Convention, for the purposes of enhancing efforts to counter trafficking in cultural property by ensuring that States parties can make effective use of the tools of cooperation contained within that Convention to counter such offences;

9. *Calls upon* Member States, in accordance with their domestic legislation, to promote among their central and competent authorities the timely exchange of information and to establish or strengthen swift and reliable lines of communication and mechanisms for consultation and coordination between those authorities and the national bodies mandated to counter trafficking in cultural property, making use, where possible, of relevant cooperation networks in order to promptly notify countries of origin when objects that may be cultural property removed from their territory are identified;

10. *Urges* Member States to introduce effective national measures at the legislative and operational levels, where appropriate and in accordance with obligations and commitments under international law and national instruments, to prevent and combat trafficking in cultural property and related offences that benefit or may benefit terrorists or terrorist groups;

11. *Encourages* Member States to take effective measures to prevent the transfer of illicitly acquired or illegally obtained cultural property, in particular through auctions, including over the Internet, and to effectively return or restore it to its lawful owners;

12. *Also encourages* Member States to consider preparing domestic guidelines that specify the requirements and procedures for requesting mutual legal assistance in cases of trafficking in cultural property and to make them public, if possible, in at

least one of the official languages of the United Nations, as well as to share such information with the Secretariat;

13. *Invites* Member States to continue designating contact points to facilitate international cooperation for the purposes of investigating and prosecuting trafficking in cultural property and reporting that information to the United Nations Office on Drugs and Crime for inclusion in the directory of competent national authorities, and requests the Office to keep that information up to date;

14. *Urges* Member States that have not done so to establish, in accordance with domestic legislation, designated central authorities or effective points of contact dedicated to facilitating international cooperation, including for extradition and mutual legal assistance requests, in order to effectively address transnational organized crime, including trafficking in cultural property, with the assistance of the United Nations Office on Drugs and Crime and relevant international organizations, as well as to facilitate the development of national, subregional, regional and international strategies, and other necessary measures, as appropriate;

15. *Recommends* that Member States prepare lists or inventories of stolen and/or lost cultural property, and consider making them public in order to facilitate the identification of that property, as well as use the tools at their disposal, such as the red lists of the International Council of Museums, the INTERPOL database on stolen works of art and the ARCHEO information exchange network of the World Customs Organization, in order to facilitate the actions of law enforcement agencies and, in that regard, invites Member States to afford one another the widest possible cooperation in preparing such lists or inventories;

16. *Encourages* Member States, including in collaboration with the United Nations Office on Drugs and Crime, to provide, upon request, training on international legal assistance to central and competent authorities, as well as to their ministerial, law enforcement and other authorities involved in the detection, investigation and return or restitution of trafficked cultural property;

17. *Also encourages* Member States to share information, on a voluntary basis, on their experiences and good practices with regard to trafficking in cultural property and related offences, including with a view to examining all options regarding new legal and other responses to this crime, and to bring those experiences and good practices to the attention of the United Nations Office on Drugs and Crime, as appropriate, and requests the Office to compile and disseminate that information within its existing mandates and reporting obligations;

18. *Further encourages* Member States, in cases in which a request for mutual legal assistance related to trafficking in cultural property cannot be executed for any reason, to consult the requesting State, before refusing the request, regarding the reasons for such refusal, to enable the requesting State to rectify the request, whenever possible;

19. *Requests* the United Nations Office on Drugs and Crime to continue to provide technical assistance to Member States, at their request, in relation to international cooperation in combating trafficking in cultural property, in cooperation with relevant international organizations and bodies;

20. *Invites* Member States, if they have not already done so, to provide to the United Nations Office on Drugs and Crime, where appropriate, their procedures for mutual legal assistance requests, including any special requirements addressing cultural property-related offences, and requests the Office to make available such information through the Sharing Electronic Resources and Laws on Crime knowledge management portal so that these procedures may be made widely available to other Member States;

21. *Requests* the United Nations Office on Drugs and Crime to seek comments from Member States, relevant intergovernmental and non-governmental organizations, the institutes of the United Nations crime prevention and criminal justice programme network and other relevant stakeholders with experience in international cooperation against trafficking in cultural property on the use and application of the International Guidelines for Crime Prevention and Criminal Justice Responses with Respect to Trafficking in Cultural Property and Other Related Offences;

22. *Requests* the Executive Director of the United Nations Office on Drugs and Crime to report to the Commission on Crime Prevention and Criminal Justice at its twenty-eighth session on the implementation of the present resolution;

23. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes of the present resolution in accordance with the rules and procedures of the United Nations.

**Resolution 27/6**

## Restorative justice

*The Commission on Crime Prevention and Criminal Justice*,

*Recalling* Economic and Social Council resolution 1999/26 of 28 July 1999, entitled "Development and implementation of mediation and restorative justice measures in criminal justice",

*Recalling also* Council resolutions 2000/14 of 27 July 2000 and 2002/12 of 24 July 2002, both entitled "Basic principles on the use of restorative justice programmes in criminal matters",

*Taking note* of the *Handbook on Restorative Justice Programmes* prepared in 2006 by the United Nations Office on Drugs and Crime,[39] which provides an overview of key considerations in the implementation of participatory responses to crime based on a restorative justice approach,

*Recognizing* that there are differences in the application of restorative justice by some Member States, and stressing that Member States have the sovereign right to determine the need for the application and appropriate scope of such practices within their jurisdictions, bearing in mind potential risks that may occur in implementing restorative justice programmes,

*Reaffirming* the shared commitment to the universal respect for and observance of all human rights and fundamental freedoms, and recognizing that restorative justice processes can be adapted to established criminal justice systems and can complement those systems, taking into account legal, social, economic and cultural circumstances,

*Recognizing* that restorative justice is an evolving response to crime that respects the dignity and equality of each person, builds understanding and promotes social harmony through the healing of victims, offenders and communities,

*Recognizing also* that the use of restorative justice does not prejudice the right of States to prosecute alleged offenders,

*Taking into account* the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power[40] and other United Nations standards and norms on crime prevention and criminal justice,

[39] Criminal Justice Handbook Series (United Nations publication, Sales No. E.06.V.15).
[40] General Assembly resolution 40/34, annex.

*Recognizing* that, in some Member States, restorative justice initiatives draw upon traditional and indigenous forms of justice, and recalling General Assembly resolution 61/295 of 13 September 2007 and the United Nations Declaration on the Rights of Indigenous Peoples annexed thereto,

*Recalling* General Assembly resolution 70/1 of 25 September 2015, entitled "Transforming our world: the 2030 Agenda for Sustainable Development", which includes, under Sustainable Development Goal 16, the commitment to promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels, and the target of ensuring responsive, inclusive, participatory and representative decision-making at all levels,

*Recalling also* General Assembly resolution 70/174 of 17 December 2015, entitled "Thirteenth United Nations Congress on Crime Prevention and Criminal Justice", in which it endorsed the Doha Declaration on Integrating Crime Prevention and Criminal Justice into the Wider United Nations Agenda to Address Social and Economic Challenges and to Promote the Rule of Law at the National and International Levels, and Public Participation, in which Heads of State and Government, ministers and representatives of Member States reaffirmed their commitment in support of effective, fair, humane and accountable criminal justice systems and committed to endeavour, inter alia, to review or reform their restorative justice and other processes in support of successful reintegration,

*Reaffirming* the commitment expressed by Member States in the Doha Declaration to endeavour to integrate child- and youth-related issues into their criminal justice reform efforts, as well as to mainstream a gender perspective into their criminal justice systems by developing and implementing national strategies and plans and to promote gender-specific measures as an integral part of their policies on crime prevention, criminal justice and the treatment of offenders, including the rehabilitation and reintegration of women offenders into society,

*Recalling* Economic and Social Council resolution 2016/17 of 26 July 2016, entitled "Restorative justice in criminal matters",

*Taking into account* the request made in Economic and Social Council resolution 2016/17 to the Secretary-General to convene a meeting of restorative justice experts to review the use and application of the basic principles on the use of restorative justice programmes in criminal matters as well as new developments and innovative approaches in the area of restorative justice,

*Noting* the experiences of Member States, including good practices, lessons learned and other recent developments in the area of restorative justice, including at the regional level,

*Recognizing* the need to ensure that restorative justice processes are gender-sensitive and uphold the rule of law,

*Noting* that restorative justice programmes are most frequently used in the resolution of minor offences, and also noting that they have been applied by some Member States to a broader range of criminal offences, including more serious crimes,

*Noting also* that a restorative justice approach may be helpful, where appropriate, in promoting resolution, reconciliation, accountability and the rule of law, while protecting the rights of victims, in particular during periods in which States may face challenges in the development, reform or operation of their criminal justice systems,

1. *Notes* the convening of the expert group meeting on restorative justice in criminal matters in Ottawa from 22 to 24 November 2017, held in collaboration with Member States, relevant United Nations entities, including the Permanent Forum on

Indigenous Issues, the institutes of the United Nations crime prevention and criminal justice programme network and other relevant stakeholders with experience in restorative justice processes, and expresses its gratitude to the Government of Canada for its financial support for the meeting;

2. *Takes note* of the report of the Secretary-General on the outcome of the expert group meeting on restorative justice in criminal matters;[41]

3. *Encourages* Member States, where appropriate, to consider facilitating restorative justice processes, at relevant stages in the criminal justice process, to the extent possible and in accordance with applicable law, including by considering applying the basic principles on the use of restorative justice programmes in criminal matters;[42]

4. *Also encourages* Member States to consider facilitating restorative justice programmes, in appropriate cases, as a possible measure to address challenges in their criminal justice systems;

5. *Further encourages* Member States to bear in mind that restorative justice programmes should be used only with the free and voluntary consent of the parties and with fundamental procedural safeguards, and to ensure that the needs and interests of the victims are protected;

6. *Encourages* Member States, when facilitating restorative justice programmes, to consider providing, as one of their priorities, restorative justice services and programmes in juvenile justice, and to bear in mind relevant standards and norms in the area of juvenile justice, and, while recognizing that the education and rehabilitation of children in contact with the criminal justice system should be among their priorities, invites States parties to bear in mind their obligations under the Convention on the Rights of the Child;[43]

7. *Calls upon* Member States to protect the rights of children in contact with the criminal justice system and, where appropriate, to take into consideration the special circumstances and needs of children, and to endeavour to achieve the rehabilitation of such children by, inter alia, restricting the application of arrest and/or detention, applying conditional non-prosecution and/or alternative measures to imprisonment and strengthening education and supervision, while respecting the privacy of the children;

8. *Invites* Member States to consider, when developing restorative justice programmes, and where appropriate, issues such as access to justice and social reintegration of offenders, reducing recidivism, and access to health and education services for offenders;

9. *Also invites* Member States to assist one another in the exchange of experiences on restorative justice and in the development and implementation of research, training or other programmes and activities to stimulate discussion, including through relevant regional initiatives;

10. *Further invites* Member States to consider providing technical assistance, upon request, to Member States, including, as appropriate, Member States confronting specific difficulties in national or international circumstances, in the development and implementation of restorative justice programmes;

11. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to continue collecting and analysing information provided by Member States on their experiences in restorative justice

[41] E/CN.15/2018/13.
[42] Economic and Social Council resolution 2002/12, annex.
[43] United Nations, *Treaty Series*, vol. 1577, No. 27531.

programmes, as well as relevant information provided by intergovernmental and non-governmental organizations, the institutes of the United Nations crime prevention and criminal justice programme network, and other relevant stakeholders with experience in restorative justice processes;

12. *Also requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to develop, in consultation with Member States, educational materials and practical guidance, including the updating of its *Handbook on Restorative Justice Programmes*, to offer training and other capacity-building opportunities, in particular for practitioners working in the areas of crime prevention and criminal justice, and to make available and disseminate information on restorative justice programmes, including successful practices, potential risks, technical challenges and possible solutions, as well as lessons learned;

13. *Further requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to continue, in coordination with other relevant United Nations agencies, to provide advisory services and technical assistance to Member States, upon request, in the area of restorative justice;

14. *Requests* the United Nations Office on Drugs and Crime, subject to the availability of extrabudgetary resources, to continue providing technical assistance and advisory services to Member States, upon request, in the area of restorative justice for children, through the development of technical tools, educational materials, practical guidance and tailor-made capacity-building initiatives, within the framework of its Global Programme on Violence against Children in the Field of Crime Prevention and Criminal Justice;

15. *Commits* to endeavouring to cooperate with other United Nations entities with experience in restorative justice;

16. *Requests* the Secretary-General to report to the Commission on Crime Prevention and Criminal Justice at its twenty-ninth session on the implementation of the present resolution;

17. *Invites* Member States and other donors to provide extrabudgetary resources for the purposes described above, in accordance with the rules and procedures of the United Nations.

**Decision 27/1**

## Report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute

4. At its 8th meeting, on 17 May, the Commission decided to transmit to the Economic and Social Council the note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2018/8), which had been prepared pursuant to a decision of the Board of Trustees taken at its meeting held on 25 and 26 October 2017 in order to report to the Council, through the Commission, in accordance with article 4, paragraph 3 (e), of the statute of the Institute (Economic and Social Council resolution 1989/56, annex).

# Chapter II

## General debate

5. At its 1st, 2nd, 3rd and 6th meetings, on 14 and 16 May 2018, the Commission considered agenda item 3, entitled "General debate".

6. At its 2nd meeting, on 14 May 2018, the Commission held a ceremonial segment in honour of António Guterres, Secretary-General of the United Nations, and Erna Solberg, Prime Minister of Norway and Co-Chair of the Sustainable Development Goals Advocates, in the presence of Karin Kneissl, Federal Minister for Europe, Integration and Foreign Affairs of Austria. The Chair of the Commission made an introductory statement. During the ceremonial segment, Mr. Guterres, Ms. Solberg and Ms. Kneissl made statements.

7. At the 1st meeting of the twenty-seventh session of the Commission, on 14 May 2018, the following persons made statements:

Prajin Juntong, Air Chief Marshal, Deputy Prime Minister and Minister of Justice of Thailand

Germán Garavano, Minister of Justice and Human Rights of Argentina

Jody Wilson-Raybould, Minister of Justice and Attorney General of Canada

Jayantha Jayasuriya, Attorney General of Sri Lanka

Sakeus Shanghala, Minister of Justice of Namibia

Oleg Syromolotov, Deputy Minister of Foreign Affairs of the Russian Federation

Hiromu Kurokawa, Vice-Minister of Justice of Japan

Maria Assunta Accili Sabbatini, Ambassador, Permanent Representative of Italy to the United Nations (Vienna)

Bruno Javier Faraone Machado, Ambassador, Permanent Representative of Uruguay to the United Nations (Vienna)

David Hall, Ambassador, Alternate Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations (Vienna)

Alena Kupchyna, Ambassador, Permanent Representative of Belarus to the United Nations (Vienna)

Alvaro Guzman, Second Secretary, Alternate Permanent Representative of Chile to the United Nations (Vienna)

James A. Walsh, Deputy Assistant Secretary, Bureau of International Narcotics and Law Enforcement Affairs, Department of State, United States of America

Brendon Hammer, Ambassador, Permanent Representative of Australia to the United Nations (Vienna)

Suhardi Alius, Commissioner General of Police, Head of the National Agency for Combating Terrorism of Indonesia

8. At the 2nd meeting of the session, on 14 May 2018, the following persons made statements:

Liu Zhiqiang, Vice-Minister of Justice of China

Hamad Alkaabi, Ambassador, Permanent Representative of the United Arab Emirates to the United Nations (Vienna)

Jean-Louis Falconi, Ambassador, Permanent Representative of France to the United Nations (Vienna)

Lourdes Victoria-Kruse, Ambassador, Permanent Representative of the Dominican Republic to the United Nations (Vienna)

Abdul Aziz al Remaihi, Ministry of the Interior of Bahrain

Carlos Medina Ramirez, Vice-Minister of Criminal Policy and Restorative Justice, Ministry of Justice and Law of Colombia

Anabella Guardia Escoffery de Rubinoff, Ambassador, Permanent Representative of Panama to the United Nations (Vienna)

Ahmet Muhtar Gün, Ambassador, Permanent Representative of Turkey to the United Nations (Vienna)

Claude Wild, Ambassador, Permanent Representative of Switzerland to the United Nations (Vienna)

Jabir Hemaidawi, Ambassador, Permanent Representative of Iraq to the United Nations (Vienna)

Ricardo Neiva Tavares, Ambassador, Permanent Representative of Brazil to the United Nations (Vienna)

Johnny Pitswane, Minister Plenipotentiary, Alternate Permanent Representative of South Africa to the United Nations (Vienna)

Ibrahim Assaf, Ambassador, Permanent Representative of Lebanon to the United Nations (Vienna)

Abdullah Yousef al Mal, Legal Adviser to the Minister of the Interior of Qatar

9. At the 3rd meeting of the session, on 14 May 2018, the following persons made statements:

Andrei Furdui, Director, Department for Crime Prevention, Ministry of Justice of Romania

Omar Amer Youssef, Ambassador, Permanent Representative of Egypt to the United Nations (Vienna)

Ahmed Said al Shekaili, Assistant Attorney General of Oman

Ihsan Ghani, National Coordinator, National Counter-Terrorism Authority of Pakistan

Hila Tene-Gilad, Director, Human Rights and Relations with International Organizations, Office of the Deputy Attorney General, Ministry of Justice of Israel

Mirlan Zheenchoroev, Member of Parliament, Kyrgyzstan

Ganeson Sivagurunathan, Ambassador, Permanent Representative of Malaysia to the United Nations (Vienna)

Raul Antonio López, Deputy Minister of Justice and Public Security of El Salvador

Bruce S. Concepcion, Special Envoy on Transnational Crime, Office of the President of the Philippines

Bader Al Massad, Attorney General, Ministry of Justice of Kuwait

Claudio Ramos Borrego, Director of International Relations, Ministry of Justice of Cuba

Keith Azzopardi, Ambassador, Permanent Representative of Malta to the United Nations (Vienna)

Maimona Ahmed Mohammed Khalid, Chargé d'affaires a.i., Permanent Mission of the Sudan to the United Nations (Vienna)

Shakir Shamilyevich Shayakhmetov, Acting Rector of the Law Enforcement Academy of Kazakhstan

Dulfa Dalila Hernández Medina, Minister Counsellor, Alternate Permanent Representative of the Bolivarian Republic of Venezuela to the United Nations (Vienna)

Artur Chakhoyan, Deputy Head of the General Prosecutor's Office of Armenia

Michael A. O. Oyugi, Ambassador, Permanent Representative of Kenya to the United Nations (Vienna)

Sami Samawi, Attaché, Alternate Permanent Representative of Jordan to the United Nations (Vienna)

Pilar Saborío de Rocafort, Ambassador, Permanent Representative of Costa Rica to the United Nations (Vienna)

Carlos Alberto Játiva Naranjo, Ambassador, Permanent Representative of Ecuador to the United Nations (Vienna)

Carlos Alberto García Reyes, Minister Counsellor, Chargé d'affaires a.i., Permanent Mission of Guatemala to the United Nations (Vienna)

Janusz S. Urbańczyk, Ambassador, Permanent Observer of the Holy See to the United Nations (Vienna)

Salahaldin Abdalshafi, Ambassador, Permanent Observer of the State of Palestine to the United Nations (Vienna) (on behalf of the Group of Arab States)

Christine Brautigam, Director, Intergovernmental Support Division of the United Nations Entity for Gender Equality and the Empowerment of Women

Liberato Bautista, President, Conference of Non-Governmental Organizations in Consultative Relationship with the United Nations

Alberto Donà, Minister, Alternate Permanent Observer of the Sovereign Military Order of Malta to the United Nations (Vienna)

10. At the 6th meeting of the session, on 16 May 2018, the following persons made statements:

Sara Herrerías Guerra, Deputy Attorney General for Human Rights, Crime Prevention and Community Services, Attorney General's Office of Mexico

Faouzia Mebarki, Ambassador, Permanent Representative of Algeria to the United Nations (Vienna)

Juan Fernando Javier Rojas Samanez, Ambassador, Permanent Representative of Peru to the United Nations (Vienna)

Antonio de Almeida Ribeiro, Ambassador, Permanent Representative of Portugal to the United Nations (Vienna)

Yongsoo Lee, Deputy Ambassador, Alternate Permanent Representative of the Republic of Korea to the United Nations (Vienna)

Masood Ahmad Azizi, Deputy Minister for Policy and Strategy, Ministry of the Interior of Afghanistan

Rafael Bustillo Romero, Coordinating Magistrate, Criminal Chamber, Supreme Court of Justice of Honduras

Abbas Bagherpour, Director General for International Legal Affairs, Ministry of Foreign Affairs of the Islamic Republic of Iran

Vivian N. R. Okeke, Ambassador, Permanent Representative of Nigeria to the United Nations (Vienna)

Richard Eames, Senior Coordinator, Advocacy and Communications, International Anti-Corruption Academy

Zin Hwan Kim, President, Korean Institute of Criminology

11. Also at the 6th meeting, the representative of Morocco made a statement in exercise of the right of reply.

# Chapter III

## Strategic management, budgetary and administrative questions

12. At its 6th meeting, on 16 May 2018, the Commission on Crime Prevention and Criminal Justice considered agenda item 4, which read as follows:

"Strategic management, budgetary and administrative questions:

(a) Work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime;

(b) Directives on policy and budgetary issues for the United Nations crime prevention and criminal justice programme;

(c) Working methods of the Commission;

(d) Staff composition of the United Nations Office on Drugs and Crime and other related matters."

13. For its consideration of agenda item 4, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2018/2–E/CN.15/2018/2);

(b) Note by the Secretariat on the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (E/CN.7/2018/3–E/CN.15/2018/3);

(c) Note by the Executive Director on the adjustments to the consolidated budget for the biennium 2018–2019 for the United Nations Office on Drugs and Crime (E/CN.7/2018/12–E/CN.15/2018/14).

14. The Director of the Division for Management made an introductory statement.

15. Statements were made by the representatives of the Plurinational State of Bolivia (on behalf of the Group of Latin American and Caribbean States), Japan, the United States, China, Brazil and the United Kingdom.

16. The observers for Iraq and Algeria also made statements.

### A. Deliberations

17. Several speakers expressed appreciation for the work of the standing open-ended intergovernmental working group on improving the governance and financial situation of the United Nations Office on Drugs and Crime (UNODC). They noted that the working group served as an important mechanism to enhance transparency and accountability and to enable a constructive dialogue between Member States and UNODC.

18. A number of speakers expressed appreciation for the targeted, specialized technical assistance of UNODC and underlined the importance of field-based programmes, as well as the need to continue and strengthen existing technical assistance programmes.

19. Several speakers expressed concern about the difficult financial situation faced by UNODC in view of the decrease in general-purpose funds and the concurrent increase in special-purpose funds. One speaker noted that UNODC should not become

a donor-driven organization, as that would have a negative impact on the establishment of its priorities and the ownership of its core mandates. Some speakers expressed the view that the core activities should be funded from the regular budget.

20. Several speakers expressed support for the adjustments made by UNODC to the consolidated budget for the biennium 2018–2019 and, in that regard, welcomed the proposal to allocate programme support costs in a more flexible manner. UNODC was encouraged to continue its efforts to increase transparency in its dialogue with Member States during the budget-formulation and decision-making process.

21. Several speakers mentioned the need for a broader, more flexible and more transparent use of programme support cost funds at headquarters and by field offices, as appropriate, and noted that such an approach would help to maintain the delivery of UNODC activities in the field. Reference was also made to the importance of close coordination between headquarters and field offices, with the aim of avoiding duplication of projects and promoting efficient and effective management.

22. UNODC was encouraged to continue to evaluate and report on the challenges affecting the financial viability of field offices, as well as project delivery and administrative practices, in particular the implementation of full cost recovery. A number of speakers encouraged UNODC to engage with Member States in a collaborative process on those budgetary issues.

23. Several speakers welcomed the Office's engagement with the reform agenda of the Secretary-General and asked to be kept informed as the process unfolded. Appreciation was expressed for the efforts of UNODC to engage with Member States on issues related to the United Nations reform processes (management reform and reform of the development system), and it was proposed that a standing item on those reform processes be included in the agenda of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC.

24. Several speakers underscored the importance of research for the effective functioning of UNODC, while expressing support for the revised budget. One speaker requested UNODC to strengthen consultation with Member States when conducting research programmes, including informing Member States about the plan of research publications through the meetings of the standing open-ended intergovernmental working group on improving the governance and financial situation of UNODC, in order to ensure the inclusiveness, transparency and accountability of the research outcomes.

25. Several speakers acknowledged the efforts of UNODC to promote equitable geographical distribution and gender parity among staff. Several speakers highlighted the importance of the Office making further efforts in that regard, including at the most senior levels. The importance of doing so while bearing in mind Article 101 of the Charter of the United Nations was also noted. UNODC was encouraged to implement its Gender Equality Strategy and to update it regularly.

## B. Action taken by the Commission

26. At its 6th meeting, on 16 May 2018, the Commission adopted a resolution entitled "Budget for the biennium 2018–2019 for the United Nations Crime Prevention and Criminal Justice Fund", as contained in E/CN.7/2018/12–E/CN.15/2018/14, annex II. (For the text, see chap. I, sect. C, resolution 27/1.)

# Chapter IV

## Thematic discussion on criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels

27. At its 4th and 5th meetings, on 15 May 2018, and its 6th meeting, on 16 May 2018, the Commission considered agenda item 5, entitled "Thematic discussion on criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels". The discussion was focused on the following sub-themes:

(a) Current challenges;

(b) Possible responses to them.

28. For its consideration of agenda item 5, the Commission had before it the note by the Secretariat containing the guide for the thematic discussion (E/CN.15/2018/6).

29. The prominent theme for the twenty-seventh session of the Commission ("Criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels") had been decided by the Economic and Social Council in its decision 2016/241.

30. The discussion on sub-theme (a) was presided over by the Chair and led by the following panellists: Dingaan Joseph Mangena (South Africa), Jayantha Fernando (Sri Lanka), Eric do Val Lacerda Sogocio (Brazil), Markko Künnapu (Estonia) and Knut Jostein Sætnan (Norway). The discussion on sub-theme (b) was presided over by the Chair and led by the following panellists: Feng Xu (China), Carlos Medina Ramírez (Colombia), Artur Zavalunov (Russian Federation) and Pedro Verdelho (Portugal).

31. The Chair made an introductory statement. Introductory statements were also made by the Director of the Division for Treaty Affairs and the Chief of the Cybercrime and Anti-Money-Laundering Section of UNODC.

32. The representative of Bulgaria made a statement (on behalf of the European Union and Albania, Andorra, Bosnia and Herzegovina, Georgia, Iceland, Montenegro, the Republic of Moldova, San Marino, Serbia, the former Yugoslav Republic of Macedonia, Turkey and Ukraine). The observer for the State of Palestine made a statement on behalf of the Group of Arab States. Statements were also made by the representatives of Saudi Arabia, Germany, India, the United States, Pakistan, Mexico, Iran (Islamic Republic of), the Russian Federation, Cuba, Serbia, Indonesia, China, Japan, France and South Africa.

33. Observers for Canada, Iraq, Spain, Viet Nam, Belgium, Liechtenstein, the Syrian Arab Republic, the Philippines, Algeria, Thailand, Kuwait, Nigeria, Turkey, Oman, Azerbaijan, Australia and the Netherlands also made statements.

34. At the 5th meeting of the Commission, the Chair of the Commission on the Status of Women, Geraldine Byrne Nason, made a statement via videoconference.

35. The observer for the League of Arab States made a statement.

36. The observer for the Parliamentary Assembly of the Mediterranean also made a statement.

## A. Summary by the Chair

37. The Chair's summary of the salient points, which was not subject to negotiation, is presented below.

### Current challenges

38. Many speakers stressed that cybercrime continued to increase, posing challenges for legislators and policymakers. Threats posed by cybercrime in its different forms were multifaceted and multidimensional and affected not only citizens, but also businesses and Governments.

39. Many speakers expressed their concern about the creation of a sophisticated digital underground economy in which computer data were the commodity, as well as about the facilitating role of cybercrime in the commission of various forms of transnational organized crime and terrorism.

40. A number of speakers noted that cloud computing raised a number of challenges for criminal justice practitioners, in particular with regard to applicable law and criminal jurisdiction. Requesting computer data from other jurisdictions was challenging owing to the unknown location of those data and delays in response that often exceeded the data-retention period, which could lead to the destruction of key electronic evidence. Dual criminality was also highlighted as a challenge for international cooperation.

### Possible responses to them

41. In response to the challenges posed by cybercrime, many speakers provided an update on their preventive measures and legislative reform efforts, including with regard to criminalization and electronic evidence.

42. Many speakers underlined that international cooperation was crucial to effectively combating cybercrime, given its transnational and rapidly evolving nature.

43. Many speakers highlighted the need for fast and effective responses to requests for mutual legal assistance related to electronic evidence. One speaker suggested legislative amendments to allow for lawful access to data where only a set of possible locations of those data was known (i.e., in an indeterminate location), giving due respect to the sovereignty and territoriality of States.

44. Many speakers called for urgent action through, inter alia, the exchange of information and best practices, the development and updating of substantive and procedural laws, the more effective and efficient use of public-private partnerships, including for the prevention of cybercrime, electronic evidence-gathering and take-down procedures, the strengthening of international cooperation mechanisms, including 24/7 networks, and capacity-building activities. In that regard, several speakers expressed appreciation for the work of UNODC in providing focused technical assistance to requesting countries through its Global Programme on Cybercrime.

45. Many speakers underlined the significance of efforts to enhance the capabilities of competent national authorities to deal with cybercrime and electronic evidence. They called upon States and technical assistance providers to step up efforts for capacity-building and awareness-raising among practitioners. A number of speakers reported on capacity-building measures taken in their jurisdictions for law enforcement authorities and the judiciary. Specifically, some speakers recommended that the enactment of new legislation be accompanied by appropriate training measures.

46. A number of speakers referred to the value of existing regional and international instruments, including the Organized Crime Convention and the Council of Europe Convention on Cybercrime (Budapest Convention), and the need to enhance implementation of those instruments. Several speakers referred to the preparation of a second protocol to that Convention that would cover electronic evidence "in the cloud".

47. A number of speakers reiterated that new responses were needed, including a new universal or global legal instrument within the framework of the United Nations. Reference was made by one speaker to the draft United Nations convention on cooperation in combating cybercrime presented by his Government in 2017.

48. Many speakers highlighted the added value of the open-ended intergovernmental Expert Group to Conduct a Comprehensive Study on Cybercrime to conduct a comprehensive study of the problem of cybercrime and responses to it by Member States, the international community and the private sector as the only platform within the United Nations for the exchange of information with a view to examining options to strengthen existing and to propose new national and international legal or other responses to cybercrime.

## B. Workshop on criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels

49. The 1st meeting of the Committee of the Whole, on 14 May 2018, was devoted to a workshop on the theme "Criminal justice responses to prevent and counter cybercrime in all its forms, including through the strengthening of cooperation at the national and international levels", organized by the institutes of the United Nations crime prevention and criminal justice programme network. The workshop was chaired by the First Vice-Chair of the Commission and was moderated by a representative of the Australian Institute of Criminology, a member of the United Nations crime prevention and criminal justice programme network.

50. An opening statement was made by the Director of the Division for Treaty Affairs of UNODC. Presentations were made by panellists from Cardiff University, United Kingdom, the University of Leeds, United Kingdom, the University of Melbourne, Australia, Monash University, Australia, Beijing Normal University, the Australian Institute of Criminology, the United Nations Interregional Crime and Justice Research Institute (UNICRI), the Korean Institute of Criminology, the International Centre for the Prevention of Crime, and UNODC. During the discussion, a statement was made by the representative of the Russian Federation. Closing statements were made by the First Vice-Chair of the Commission and by the representative of the Australian Institute of Criminology.

# Chapter V

## Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice

51. At its 7th and 8th meetings, on 16 and 17 May 2018, the Commission on Crime Prevention and Criminal Justice considered agenda item 6, which read as follows:

> "Integration and coordination of efforts by the United Nations Office on Drugs and Crime and by Member States in the field of crime prevention and criminal justice:
>
> (a) Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto;
>
> (b) Ratification and implementation of the United Nations Convention against Corruption;
>
> (c) Ratification and implementation of the international instruments to prevent and combat terrorism;
>
> (d) Other crime prevention and criminal justice matters;
>
> (e) Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies."

52. For its consideration of item 6, the Commission had before it the following documents:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2018/2–E/CN.15/2018/2);

(b) Report of the Secretary-General on international cooperation in combating transnational organized crime and corruption (E/CN.15/2018/4);

(c) Report of the Secretary-General on technical assistance in implementing the international conventions and protocols related to terrorism (E/CN.15/2018/5);

(d) Report of the Secretary-General on the activities of the institutes of the United Nations crime prevention and criminal justice programme network (E/CN.15/2018/7);

(e) Note by the Secretary-General transmitting the report of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2018/8);

(f) Note by the Secretary-General on the nomination of a member of the Board of Trustees of the United Nations Interregional Crime and Justice Research Institute (E/CN.15/2017/17).

53. Introductory statements were made by the Chief of the Organized Crime and Illicit Trafficking Branch, the Chief of the Corruption and Economic Crime Branch, the Chief a.i. of the Terrorism Prevention Branch and the Chief of the Human Trafficking and Migrant Smuggling Section.

54. Statements were made by the representatives of Japan, China, Saudi Arabia, Indonesia, the United States, Colombia, the Islamic Republic of Iran and Italy.

55. Observers for Tunisia, Viet Nam, Algeria, Canada, Thailand, Lebanon, Iraq and Libya also made statements.

56. Observers for the League of Arab States and for the Asia and Far East Institute for the Prevention of Crime and the Treatment of Offenders made statements.

57. The observer for the International Police Association made a statement.

## A. Deliberations

### 1. Ratification and implementation of the United Nations Convention against Transnational Organized Crime and the Protocols thereto

#### Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Transnational Organized Crime

58. Several speakers stated that transnational organized crime was a threat to security and expressed concern about the nexus between organized crime and terrorism. Many speakers reiterated that the United Nations Convention against Transnational Organized Crime and the Protocols thereto were the principal legal tools in that context and called for the full use of their provisions on international cooperation.

59. Several speakers shared examples of their domestic implementation efforts and called upon States to become parties to the Convention and its Protocols if they had not yet done so. Several speakers highlighted crimes of particular concern for which those instruments would provide a useful framework. Those crimes included cybercrime, trafficking in persons, including for organ removal, smuggling of migrants and trafficking in firearms.

60. Several speakers expressed their support for the establishment of a review mechanism for the Convention and its Protocols. One speaker expressed reservations about the proposal currently under consideration. Speakers stated that the dialogue should continue in the lead-up to and during the ninth session of the Conference of the Parties.

61. Many speakers expressed appreciation for the technical assistance, capacity-building and research work undertaken by UNODC to support States in the implementation of the Convention and its Protocols. A call was made for increased funding from a more diverse pool of donors.

### 2. Ratification and implementation of the United Nations Convention against Corruption

#### Work of the United Nations Office on Drugs and Crime in facilitating the ratification and implementation of the United Nations Convention against Corruption

62. Speakers reiterated their commitment to the United Nations Convention against Corruption and the Mechanism for the Review of Implementation of the United Nations Convention against Corruption and reported on the measures taken to implement the Convention.

63. They stressed that the Implementation Review Mechanism played an important role in their efforts to effectively implement the Convention and highlighted the transparent and impartial nature of the Mechanism. Some speakers highlighted the role of civil society in the Mechanism.

64. Many speakers stressed the importance of asset recovery and the need for effective international cooperation. They also underlined the central role of the Conference of the States Parties and its resolutions in generating and strengthening political will.

65. A number of speakers underlined the importance of the technical assistance provided by UNODC for implementing the Convention, including through the joint UNODC/World Bank Stolen Asset Recovery Initiative.

### 3. Ratification and implementation of the international instruments to prevent and combat terrorism

66. Speakers reiterated the commitment of their Governments to countering terrorism in all its forms and manifestations. A number of speakers expressed appreciation for the technical assistance provided by UNODC on counter-terrorism matters and requested that the provision of technical assistance be further strengthened, in line with national and regional priorities. They also called for continued financial support to do so.

67. Some speakers described the efforts undertaken by their Governments to counter terrorism and called for joint action and enhanced international cooperation in that regard. The importance of public-private partnerships was also mentioned.

68. A number of speakers called for action to address specific issues, including addressing the drivers of terrorism, nuclear terrorism, the links between terrorism and organized crime, the misuse of the Internet by terrorist groups, and foreign terrorist fighters.

69. The negative impact of terrorism on development was noted, as was the need for a balanced implementation of the United Nations Global Counter-Terrorism Strategy.

### 4. Other crime prevention and criminal justice matters

70. States were called upon to fully implement the Organized Crime Convention, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the Convention, and the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the Convention, which together formed the international framework for effectively preventing and combating those crimes.

71. The importance of sharing information on the protection of victims and the safe return of trafficked victims was highlighted, as was the importance of a victim-centred and trauma-informed approach to prosecutions.

72. One speaker stated that UNODC was one of the most important partners in the fight against trafficking in persons. The Commission, being the forum within the United Nations system for law enforcement and criminal justice policy, was called upon to take a leadership role in strengthening the Inter-Agency Coordination Group against Trafficking in Persons, in particular to avoid duplication, enhance active cooperation among United Nations organizations and maximize donor support.

### 5. Other activities in support of the work of the United Nations Office on Drugs and Crime, in particular activities of the United Nations crime prevention and criminal justice programme network, non-governmental organizations and other bodies

73. The contributions made by the institutes of the United Nations crime prevention and criminal justice programme network to the crime prevention and criminal justice agenda were highlighted. Reference was made to a number of recent activities undertaken by the institutes, including the development and sharing of knowledge on topics such as corruption, violence against women and children, restorative justice, access to justice and the prevention of radicalization and terrorism. The work that they were undertaking in the areas of research and capacity-building was mentioned, as were their contributions to the preparations for the United Nations congresses on

crime prevention and criminal justice. One speaker encouraged all institutes of the network to continue utilizing all data collected and published by UNODC.

## B. Action taken by the Commission

74. At its 8th meeting, on 17 May 2018, the Commission decided to transmit to the Economic and Social Council the note by the Secretary-General transmitting the report of the Board of Trustees of UNICRI (E/CN.15/2018/8), which had been prepared pursuant to a decision of the Board of Trustees taken at its meeting held on 25 and 26 October 2017 to report to the Council, through the Commission, in accordance with article IV, paragraph 3 (e), of the statute of the Institute (Economic and Social Council resolution 1989/56, annex). (For the text, see chap. I, sect. C, decision 27/1.)

75. At the same meeting, the Commission recommended to the Economic and Social Council that Suzanne Hayden (United States) be appointed to the UNICRI Board of Trustees. (For the text, see chap. I, sect. B, draft decision I.)

76. At its 11th meeting, on 18 May 2018, the Commission adopted a revised draft resolution (E/CN.15/2018/L.2/Rev.1), sponsored by Armenia, Bangladesh, Belarus, China, Colombia, Cuba, Ecuador, El Salvador, Eritrea, Honduras, Kazakhstan, Kuwait, Kyrgyzstan, Mauritania, Morocco, Paraguay, the Philippines, the Russian Federation, Tajikistan, Thailand and Venezuela (Bolivarian Republic of). (For the text, see chap. I, sect. C, resolution 27/2.) Prior to the approval of the revised draft resolution, a representative of the Secretariat read out a statement on the financial implications of its adoption (see E/CN.15/2018/CRP.6, available on the UNODC website). Following the adoption of the revised draft resolution, the representative of Belarus thanked all delegations that had participated in the negotiations on the text for their constructive approach and valuable contributions, as well as those delegations that had also sponsored it. Belarus stood ready to work with all Member States to implement the resolution.

77. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2018/L.3/Rev.1), sponsored by Andorra, Australia, Bulgaria (on behalf of the States Members of the United Nations that are members of the European Union), El Salvador, Honduras, Morocco, Panama, Paraguay, the Philippines and San Marino. (For the text, see chap. I, sect. C, resolution 27/3.) Following the adoption of the revised draft resolution, the representative of Bulgaria, speaking on behalf of the European Union, noted that the resolution contained a reference to the Working Group on Trafficking in Persons of the Conference of the Parties to the Organized Crime Convention and the Expert Group to Conduct a Comprehensive Study on Cybercrime. The European Union remained committed to engaging constructively in the discussions within the Expert Group to Conduct a Comprehensive Study on Cybercrime, which had its own mandate that was not directly related to trafficking in persons. The European Union believed that the Working Group on Trafficking in Persons remained the key forum for addressing trafficking in persons and looked forward to its next meeting, to be held in Vienna in July 2018. Following the adoption of the revised draft resolution, the representative of the United Kingdom made a statement, also on behalf of Australia, Austria, Belgium, Bulgaria, Canada, Colombia, Croatia, Cyprus, Czechia, Denmark, El Salvador, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Israel, Italy, Japan, Latvia, Lithuania, Luxembourg, Malta, Mexico, the Netherlands, New Zealand, Peru, the Philippines, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, Switzerland, the United States and Viet Nam. In her statement, the representative of the United Kingdom expressed her delegation's regret that the efforts of WePROTECT Global Alliance to End Child Sexual Exploitation Online, a global coalition of countries and organizations committed to supporting efforts to end abuse and exploitation of, trafficking in and

all forms of violence and abuse against children by 2030, could not be recognized in the resolution. Her delegation was looking forward to discussing the importance of the Global Alliance at future sessions of the Commission.

78. Also at the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2018/L.8/Rev.1), sponsored by Australia, Belarus, Bulgaria (on behalf of the States Members of the United Nations that are members of the European Union), Canada, Colombia, Costa Rica, El Salvador, Honduras, Indonesia, Israel, Kuwait, Morocco, Oman, Panama, Paraguay, Peru, the Philippines and the United Republic of Tanzania. (For the text, see chap. I, sect. C, resolution 27/4.) Prior to the approval of the revised draft resolution, a representative of the Secretariat read out a statement on the financial implications of its adoption (see E/CN.15/2018/CRP.6, available on the UNODC website). Following the adoption of the revised draft resolution, the representative of Colombia underlined the fact that, at the current session, the Commission had adopted three resolutions on combating trafficking in persons, which reflected the importance that Member States attached to efforts made against that scourge. Through the adoption of those resolutions, the Commission had emphasized the fact that Member States would only be able to succeed in that regard through international cooperation.

# Chapter VI

## Use and application of United Nations standards and norms in crime prevention and criminal justice

79. At its 8th meeting, on 17 May 2018, the Commission considered agenda item 7, entitled "Use and application of United Nations standards and norms in crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on the use and application of United Nations standards and norms in crime prevention and criminal justice (E/CN.15/2018/9);

(b) Report of the Secretary-General on the outcome of the expert group meeting on restorative justice in criminal matters (E/CN.15/2018/13);

(c) Conference room paper entitled "UNODC input for United Nations system-wide guidelines on safer cities" (E/CN.15/2018/CRP.2);

(d) Conference room paper on the outcome of the cross-regional seminar on the theme "Access to legal aid in criminal justice systems: quality assurance, holistic services and equity in access", held in Guangzhou City, China, on 24 and 25 January 2018 (E/CN.15/2018/CRP.4).

80. The Chief of the Justice Section of UNODC made an introductory statement.

81. Statements were made by the Special Rapporteur on violence against women, its causes and consequences and the Chair of the Permanent Forum on Indigenous Issues.

82. Statements were made by the representatives of South Africa, the Republic of Korea, China, the United States and Chile. Statements were also made by the observers for Finland, Kuwait, Canada, Thailand, Algeria and Norway.

83. Statements were also made by the observers for the United Nations Children's Fund (on behalf of the Global Partnership to End Violence against Children), the Academic Council on the United Nations System and the Organization of the Families of Asia and the Pacific.

### A. Deliberations

84. Many speakers highlighted the importance of the United Nations standards and norms in crime prevention and criminal justice for ensuring sustainable development and achieving the implementation of the 2030 Agenda for Sustainable Development, in particular Sustainable Development Goal 16. They stressed the central role of the Sustainable Development Goals in promoting the rule of law and ensuring fair, humane and effective criminal justice systems. Many speakers made specific reference to the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), the United Nations Standard Minimum Rules for Non-custodial Measures (the Tokyo Rules) and the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules). A number of speakers reported on measures taken to translate and disseminate those sets of rules and use them as a basis for standardized training programmes in the criminal justice systems of their countries. Some speakers underlined the exclusive mandate of the Commission to develop and update these standards and norms.

85. Speakers described national initiatives to improve prison conditions, address prison overcrowding, ensure respect for the human dignity of prisoners and promote

the social reintegration of offenders, in line with the Nelson Mandela Rules. National initiatives to promote alternatives to imprisonment and access to legal aid at all stages of the criminal justice process were also described.

86. A number of speakers highlighted the value of restorative justice approaches in addressing the needs of victims of crime and ensuring offenders' accountability and promoting their reintegration into their communities. The value of restorative justice in ensuring access to justice for indigenous persons, both as offenders and as victims, was also mentioned, as was its potential for resolving the problem of overrepresentation of indigenous peoples in the criminal justice system.

87. A number of speakers reported on their Governments' initiatives to prevent and respond to violence against children. They shared their concerns about the recruitment and exploitation of children by extremist groups and highlighted the crucial role of the justice sector in protecting the rights of children.

88. The need for increased efforts to end pervasive violence against women was also stressed. Speakers suggested establishing national mechanisms to collect data on, monitor and report on violence against women, including femicide.

89. Many speakers expressed their appreciation for the Office's efforts to provide technical assistance to Member States on the application of standards and norms in crime prevention and criminal justice, commended the tools and programmes developed for that purpose, and called for sufficient resources to be allocated to the Office to support crime prevention and criminal justice reform.

## B. Action taken by the Commission

90. At its 11th meeting, on 18 May 2018, the Commission adopted a draft resolution (E/CN.15/2018/L.5), as orally revised, sponsored by Canada, Colombia, Costa Rica, Finland, Honduras, Mexico and Norway. (For the text, see chap. I, sect. C, resolution 27/6.) Prior to the adoption of the draft resolution, as orally revised, a representative of the Secretariat read out a statement on the financial implications of its adoption (see E/CN.15/2018/CRP.6, available on the UNODC website). Following the adoption of the draft resolution, as orally revised, the representative of Canada stated that restorative justice was a very important subject for her Government. In tabling the resolution, Canada had hoped that other Member States might benefit from the conclusions and recommendations of the expert group meeting on restorative justice held in Ottawa in November 2017. She observed that it would be important in the work of the Commission to recognize the competence of bodies such as the Human Rights Council that worked on the same cross-cutting issues as the Commission. The resolution constituted a solid basis for future work, and Canada was looking forward to continuing working on restorative justice at the Commission.

# Chapter VII

## World crime trends and emerging issues and responses in the field of crime prevention and criminal justice

91. At its 8th meeting, on 17 May 2018, the Commission considered agenda item 8, entitled "World crime trends and emerging issues and responses in the field of crime prevention and criminal justice". For its consideration of the item, the Commission had before it the following:

(a) Report of the Executive Director on the activities of the United Nations Office on Drugs and Crime (E/CN.7/2018/2–E/CN.15/2018/2);

(b) Note by the Secretariat on world crime trends and emerging issues and responses in the field of crime prevention and criminal justice (E/CN.15/2018/10);

(c) Report on the meeting of the Expert Group to Conduct a Comprehensive Study on Cybercrime held in Vienna from 3 to 5 April 2018 (E/CN.15/2018/12).

92. The Chief of the Crime Research Section of the Division for Policy Analysis and Public Affairs of UNODC made an introductory statement.

93. Statements were made by the representatives of South Africa, China, Indonesia, the Russian Federation, the United States, Mexico and Colombia.

94. Statements were also made by the observers for Iraq, Algeria, Norway, Thailand and Canada.

95. The observers for the Friends World Committee for Consultation and Penal Reform International made statements.

### A. Deliberations

96. A number of speakers highlighted the importance of collecting consistent and comparable data at the national, regional and global levels. Data collection was considered essential to inform evidence-based policy development with a view to achieving sustainable development and building peaceful and just societies. The value of data disaggregated by sex and age was noted. The incipient work of the Technical Advisory Group on the International Classification of Crime for Statistical Purposes was noted with appreciation. Reference was also made to the work of the Centre of Excellence for Statistical Information on Governance, Victims of Crime, Public Security and Justice.

97. A number of speakers expressed their concern about the global increase in wildlife crime and its links to organized crime and money-laundering. Some speakers reported on successful regulatory and enforcement measures and underlined the importance of international law enforcement cooperation.

98. Some speakers called upon the international community to urgently step up efforts in the fight against the illicit trade in cultural property, as part of a comprehensive strategy towards tackling traditional and emerging forms of crime that was in line with relevant Security Council resolutions.

99. One speaker mentioned the inefficiency of the current international regulatory regime against transnational crime relating to the timber and fishing industries. Environmental crime, which according to one speaker accounted for the fourth largest illegal economy globally, and its links to security and human and social development were also mentioned.

100. A number of speakers highlighted the importance of data collection for evidence-based policy measures in relation to cybercrime. Concern was expressed that, while global figures generally suggested decreasing crime rates, dark figures, in particular those relating to cybercrime, remained high. One speaker mentioned that cybercrime currently accounted for nearly one third of all crimes in his country, and reported on national efforts taken by his Government to prevent and combat that type of crime. The speaker suggested the following possible responses to cybercrime: (a) strengthening governance and crime prevention measures in cyberspace at the national level; (b) strengthening international legal cooperation, including mutual legal assistance, extradition and evidence- and information-sharing; and (c) enhancing consultations on the development of an international legal instrument to combat cybercrime.

101. Other emerging crimes referred to included the smuggling of migrants, work-related crime, firearms trafficking, illegal mining and trafficking in precious metals. While a number of speakers called for the development of new international legal instruments, a number of other speakers called for the enhancement of the implementation of existing instruments.

## B. Action taken by the Commission

102. At its 11th meeting, on 18 May 2018, the Commission was informed that draft resolution E/CN.15/2018/L.9 had been withdrawn by South Africa.

103. At the same meeting, the Commission adopted a revised draft resolution (E/CN.15/2018/L.10/Rev.1), sponsored by Canada, China, Colombia, Costa Rica, Cyprus, Ecuador, Egypt, France, Greece, Honduras, Iraq, Italy, Kuwait, Lebanon, Libya, Mauritania, Mexico, Nigeria, Oman, Peru and Saudi Arabia. (For the text, see chap. I, sect. C, resolution 27/5.) Prior to the adoption of the revised draft resolution, a representative of the Secretariat read out a statement on the financial implications of its adoption (see E/CN.15/2018/CRP.6, available on the UNODC website). Following the adoption of the revised draft resolution, the representative of Mexico thanked the other sponsors of the resolution and reiterated that his country and many members of the Commission considered trafficking in cultural property to be a serious offence. The observer for Iraq underlined the need to promote mutual legal assistance in order to implement the resolution and prevent the theft of cultural property. He also called for follow-up to the resolution on an ongoing basis.

# Chapter VIII

## Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice

104. At its 9th meeting, on 17 May 2018, the Commission considered agenda item 9, entitled "Follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice". For its consideration of the item, the Commission had before it the following:

(a) Report of the Secretary-General on follow-up to the Thirteenth United Nations Congress on Crime Prevention and Criminal Justice and preparations for the Fourteenth United Nations Congress on Crime Prevention and Criminal Justice (E/CN.15/2018/11);

(b) Conference room paper containing the discussion guide for the Fourteenth Congress (E/CN.15/2018/CRP.1).

105. An introductory statement was made by a representative of the Secretariat.

106. The representative of Japan, the country that was to host the Fourteenth Congress, made a statement that included an audiovisual presentation about the preparations for the Fourteenth Congress. Statements were also made by the representatives of China, Indonesia, the United States and Italy.

107. The observers for Kuwait, Costa Rica, Qatar, Thailand and Algeria also made statements.

108. The observer for the Latin American Institute for the Prevention of Crime and the Treatment of Offenders made a statement.

109. The observer for the Japan Federation of Bar Associations also made a statement.

### A. Deliberations

110. All speakers recognized the significant role of the United Nations congresses on crime prevention and criminal justice and their inherent capacity to shape international and domestic policy in the field of crime prevention and criminal justice. Speakers also thanked the Government of Japan for its outstanding organizational and substantive preparations for the Fourteenth Congress. The completion of negotiations on the Doha Declaration prior to the Thirteenth Congress was noted as a good practice that should be replicated during preparations for the Fourteenth Congress.

111. The representative of Japan informed the Commission of his Government's decision to organize a youth forum prior to the Fourteenth Congress and said that the modalities of the organization of the forum would be brought to the attention of the Commission at its twenty-eighth session. He commended the Secretariat on the well-balanced content of the discussion guide and requested its prompt finalization so that it could serve as the basis for discussions at the regional preparatory meetings. He also provided substantive feedback on the content of the discussion guide.

112. The representative of Costa Rica reiterated her Government's intention to host the Latin American and Caribbean Regional Preparatory Meeting for the Fourteenth Congress in 2019, following previous practice.

113. Owing to the unique timing of the Fourteenth Congress in relation to the lifespan of the Sustainable Development Goals, many speakers noted that the Congress would provide an opportune occasion to go beyond discussions of traditional manifestations of crime and to discuss new and emerging forms of crime within a broader context. Furthermore, one speaker noted that transparent and effective crime prevention and criminal justice systems were no longer sufficient on their own, and that the effective participation of all sectors of society was crucial in order to prevent crime and violence.

114. Several speakers reported on their national efforts to implement the Doha Declaration, in which Member States had underscored the fundamental importance of the rule of law to sustainable development. In that context, one speaker noted the ongoing work of UNODC in implementing the Doha Declaration in the areas of strengthening judicial integrity and preventing corruption in justice systems, fostering the rehabilitation and social integration of prisoners and preventing youth crime through sport, and through the Education for Justice initiative.

## B. Action taken by the Commission

115. At its 11th meeting, on 18 May, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2018/L.6/Rev.1), sponsored by Afghanistan, Bulgaria (on behalf of the States Members of the United Nations that are members of the European Union), Canada, Colombia, Costa Rica, Ecuador, Guatemala, Honduras, Iraq, Israel, Japan, Kuwait, Morocco, Nigeria, Oman, the Philippines, Qatar, Saudi Arabia, Thailand and Viet Nam. (For the text, see chap. I, sect. A, draft resolution II.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a statement on the financial implications of its adoption (see E/CN.15/2018/CRP.6, available on the UNODC website). Following the recommendation of the revised draft resolution, the representative of Japan stated that his Government would do its best to meet the expectations of Member States in relation to the Fourteenth Crime Congress, whose venue and date had been decided upon at the session. Japan was making steady progress in the preparations for the Congress and was looking forward to the outcome of the regional preparatory meetings in the period January to April 2019, as well as to fruitful discussions in Kyoto in 2020.

# Chapter IX

## Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up to and review and implementation of the 2030 Agenda for Sustainable Development

116. At its 10th meeting, on 18 May 2018, the Commission considered agenda item 10, entitled "Contributions by the Commission to the work of the Economic and Social Council, in line with General Assembly resolution 68/1, including follow-up to and review and implementation of the 2030 Agenda for Sustainable Development".

117. The Director of the Division for Policy Analysis and Public Affairs of UNODC made an introductory statement.

118. Statements were made by the representatives of Japan, the United States and Colombia. A statement was made by the observer for Thailand.

### A. Deliberations

119. Some speakers highlighted that the Commission was the leading policymaking body in the United Nations system on crime prevention and criminal justice issues and, as such, could play an important role with regard to the achievement of the Sustainable Development Goals and the monitoring of progress therein. Peace, stability and effective governance based on the rule of law were acknowledged as the prerequisites for sustainable development.

120. One speaker proposed three categories of links between the Commission's work and the Sustainable Development Goals, stating that some of the Commission's activities were directly linked to the achievement of the Goals (in particular Goal 16), some were directly connected to the achievement of one or more of the targets, and others were indirectly linked to the achievement of one or more of the Goals or targets. Another speaker suggested that the Commission should engage in an analysis of the links between the different Goals and the work of the Commission.

121. Some speakers welcomed efforts to enhance the coherence of the United Nations system and to enhance cooperation between UNODC and other agencies. Synergies among different parts of the United Nations system, including the Commission, should be strengthened. One speaker underlined the principle of shared responsibility and called on all States to work towards implementation of the 2030 Agenda within their national policies.

### B. Action taken by the Commission

122. At its 11th meeting, on 18 May 2018, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2018/L.4/Rev.2), sponsored by Andorra, Bangladesh, Belarus, Bulgaria (on behalf of the States Members of the United Nations that are members of the European Union), Canada, China, Colombia (on behalf of the States Members of the United Nations that are members of the Group of Latin American and Caribbean States), Egypt, Iraq, Israel, Japan, Kenya, Kuwait, Liechtenstein, Morocco, Nigeria, Norway, Oman, Pakistan, Qatar, the Russian Federation, Saudi Arabia, Singapore, South Africa, the Sudan, Switzerland, Thailand, Tunisia, the United Arab Emirates and Viet Nam. (For the text, see chap. I, sect. A,

draft resolution I.) Following the recommendation of the revised draft resolution, the representative of Colombia, in his capacity as coordinator of the working group on criminal justice and crime prevention issues of the Group of Latin American and Caribbean States, thanked the Chair of the Commission on behalf of the Group for his efforts to take forward the draft resolution, which was very useful for the Commission. The observer for Iraq also thanked the Chair for presenting the draft resolution and expressed support for the resolution and the follow-up thereto. He welcomed work to prevent crime and contribute to the achievement of the Sustainable Development Goals and voiced support for the efforts displayed by Japan in preparation for hosting the Fourteenth Crime Congress. The observer for Nigeria expressed her appreciation to the Chair of the Commission for having tabled the draft resolution. She observed that the work of the Commission was very valuable in the attainment of the Sustainable Development Goals, which were of great importance to Nigeria and Africa as a whole, which were facing development challenges.

123. At the same meeting, the Commission recommended to the Economic and Social Council the approval of a revised draft resolution for adoption by the General Assembly (E/CN.15/2018/L.7/Rev.1), sponsored by Andorra, Colombia, Ecuador, El Salvador, Finland, Honduras, Japan, Nigeria, Norway, Panama, the Philippines, Switzerland and Thailand. (For the text, see chap. I, sect. A, draft resolution III.) Prior to the recommendation of the revised draft resolution, a representative of the Secretariat read out a statement on the financial implications of its adoption (see E/CN.15/2018/CRP.6). Following the recommendation of the revised draft resolution, the observer for Thailand noted that his country acknowledged the important nexus between criminal justice and the Sustainable Development Goals, including the cross-cutting Goal 16. Among other important elements in the resolution were the importance of mainstreaming strategies to address vulnerable groups, addressing social inclusion and education and preventing and countering the effects of environmental crimes on society. Linking criminal justice with development would help to fully achieve the Goals. Thailand hoped that a forward-looking vision that helped Member States achieve what they aimed for would be established by 2030. Thailand also looked forward to criminal justice being mainstreamed into the broader context of the Sustainable Development Goals and for it to touch upon prevention, tackle development issues such as root causes of inequality in justice systems and to be in line with the integrated, indivisible and balanced implementation of the Goals. From discussions throughout the course of the session, Thailand had understood that there were different views and interpretations of the concepts included in the text of the resolution, as well as concepts not included in it. In that regard, Thailand highly appreciated all the contributions that had led to a consensus text, and thanked delegations for their constructive input. The representative of Japan recognized that the issue of terrorism in relation to the rule of law and the Goals needed to be further explored at future discussions of the Commission. It was hoped that, with the adoption of the resolution, the work of the Commission would accelerate the achievement of the Sustainable Development Goals in the run-up to the Crime Congress in Kyoto.

# Chapter X

## Provisional agenda for the twenty-eighth session of the Commission

124. At its 10th meeting, on 18 May 2018, the Commission considered agenda item 11, entitled "Provisional agenda for the twenty-eighth session of the Commission".

### Action taken by the Commission

125. At its 10th meeting, on 18 May 2018, the Commission recommended to the Economic and Social Council the adoption of a draft decision (E/CN.15/2018/L.11). (For the text, see chap. I, sect. B, draft decision II.)

# Chapter XI

## Other business

126. At its 10th meeting, on 18 May 2018, the Commission considered agenda item 12, entitled "Other business". No issues were raised under the agenda item.

# Chapter XII

## Adoption of the report of the Commission on its twenty-seventh session

127. At its 11th meeting, on 18 May 2018, the Commission adopted by consensus the report on its twenty-seventh session (E/CN.15/2018/L.1 and Add.1-7), as orally amended.

# Chapter XIII

## Organization of the session

### A. Informal pre-session consultations

128. At its reconvened twenty-sixth session, held on 7 and 8 December 2017, the Commission agreed that the regular part of its twenty-seventh session would be held from 14 to 18 May 2018, with informal pre-session consultations to be held on 11 May 2018, the working day preceding the first day of that part of the session.

129. At the informal pre-session consultations on 11 May 2018, which were chaired by the First Vice-Chair of the Commission, Alena Kupchyna (Belarus), the Commission conducted a preliminary review of the draft resolutions that had been submitted by the deadline of 16 April 2018 and dealt with organizational matters for the twenty-seventh session.

### B. Opening and duration of the session

130. The Commission held the regular part of its twenty-seventh session in Vienna from 14 to 18 May 2018, during which time there were 11 plenary meetings and 8 meetings of the Committee of the Whole.

131. The Chair of the Commission opened that part of the session. At the 1st meeting, on 14 May 2018, the Executive Director of UNODC made an opening statement.

132. Opening statements were made by the observer for Ecuador (on behalf of the Group of 77 and China), the representative of Egypt (on behalf of the Group of African States), the observer for Bangladesh (on behalf of the Group of Asia-Pacific States), the representative of the Plurinational State of Bolivia (on behalf of the Group of Latin American and Caribbean States) and the representative of Bulgaria (on behalf of the European Union and Albania, Andorra, Bosnia and Herzegovina, Georgia, Iceland, Liechtenstein, Montenegro, the Republic of Moldova, Serbia, the former Yugoslav Republic of Macedonia and Ukraine).

### C. Attendance

133. The twenty-seventh session was attended by representatives of 34 States members of the Commission. Also attending were observers for 91 other States Members of the United Nations, observers for 2 non-member States, representatives of 11 entities of the United Nations system and observers for 12 institutes of the United Nations crime prevention and criminal justice programme network, 14 intergovernmental organizations and 42 non-governmental organizations in consultative status with the Economic and Social Council. A list of participants is contained in document E/CN.15/2018/INF/2/Rev.1.

### D. Election of officers

134. Pursuant to Economic and Social Council resolution 2003/31 and rule 15 of the rules of procedure of the functional commissions of the Council, the Commission, at the end of its reconvened twenty-sixth session, on 8 December 2017, opened its twenty-seventh session for the purpose of electing its Bureau for that session. In view of the rotation of offices based on regional distribution, the officers elected for the

twenty-seventh session of the Commission and their respective regional groups are listed below.

135. On 8 December 2017, the Commission elected the Chair, the Third Vice-Chair and the Rapporteur. The nomination for the office of the First Vice-Chair remained pending until 15 December 2017, when the Group of Eastern European States nominated Alena Kupchyna of Belarus for that office. The nomination for the Second Vice-Chair remained pending until 18 January 2018, when the Group of Latin American and Caribbean States nominated Armin Andereya Latorre of Chile for that office. The Commission elected the First and Second Vice-Chairs during its consideration of item 1.

136. The officers of the Commission at its twenty-seventh session were as follows:

| | | |
|---|---|---|
| *Chair* | African States | Lotfi Bouchaara (Morocco) |
| *First Vice-Chair* | Eastern European States | Alena Kupchyna (Belarus) |
| *Second Vice-Chair* | Latin American and Caribbean States | Armin Andereya Latorre (Chile) |
| *Third Vice-Chair* | Western European and other States | Helen Eduards (Sweden) |
| *Rapporteur* | Asia-Pacific States | Jawad Ali (Pakistan) |

137. A group composed of the Chairs of the five regional groups (the representatives of Bolivia (Plurinational State of) and Egypt and the observers for Bangladesh, Montenegro and Spain), the observer for Ecuador (on behalf of the Group of 77 and China) and the representative of Bulgaria (on behalf of the European Union) was established to assist the Chair of the Commission in dealing with organizational matters. That group, together with the elected officers, constituted the extended Bureau foreseen in Economic and Social Council resolution 2003/31. During the twenty-seventh session of the Commission, the extended Bureau met on 16 and 17 May 2018 to consider matters related to the organization of work.

## E. Adoption of the agenda and organization of work

138. At its 1st meeting, on 14 May 2018, the Commission adopted the provisional agenda and proposed organization of work (E/CN.15/2018/1), which had been approved by the Economic and Social Council in its decision 2017/237.

## F. Documentation

139. The documents before the Commission at its twenty-seventh session are listed in conference room paper E/CN.15/2018/CRP.7.

## G. Closure of the current part of the session

140. At its 11th meeting, on 18 May 2018, the Commission heard closing statements by the Executive Director of UNODC and the Chair of the Commission.

141. Closing statements were also made by the representatives of the Plurinational State of Bolivia (on behalf of the Group of Latin American and Caribbean States), Bulgaria (on behalf of the European Union), Japan and Kenya.

142. The observers for Kuwait, Nigeria, Qatar (on behalf of the League of Arab States), Iraq, the United Arab Emirates and Ecuador (on behalf of the Group of 77 and China) also made closing statements.

143. The Commission observed a minute of silence, at the request of the observer for Kuwait, in the light of recent developments in the State of Palestine.